

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65524 of 2019

Arising Out of PS. Case No.-123 Year-2019 Thana- LODIPUR District- Bhagalpur

ROHIT YADAV S/o Late Bramhadeo Yadav R/o village- Khutaha, P.S.-
Lodipur, District- Bhagalpur. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madan Mohan, Advocate.
For the Informant : Mr. Indeshwari Prasad Mandal, Advocate.
For the Opposite Party/s : Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 04-03-2020 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 302/120 B of the Indian Penal Code and Section 27 of the Arms Act.

While the informant was going to attend marriage with her husband, her neighbour Rohit Yadav, Sohith Yadav, Mohit Yadav, Subhuklal Yadav, Birendra Yadav started quarreling with her husband they brought rifle and carbine. When the informant tried to pacify the matter they pushed her down and started firing in the air as DJ was playing no one could listen the noise. In the meantime, Ravindra Yadav, Birendra Yadav and Mohit Yadav caught her husband and ordered Rohit Yadav (petitioner) and Sohith Yadav to open fire and both of them opened fire, sustaining injury her husband fell



down and was taken to hospital and declared dead.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature.

Learned APP for the State vehemently opposing the bail petition submitted that there is direct allegation against the petitioner of resorting firing due to which the husband of the informant died.

Considering the facts and circumstances of case and also considering the fact that there is direct allegation against the petitioner, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected. However, the petitioner is directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

Trivedi/-

U		T	
---	--	---	--

