

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73859 of 2019

Arising Out of PS. Case No.-85 Year-2018 Thana- SALAKHUA District- Saharsa

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UMESH YADAV Son of Prabhash Yadav @ Para Yadav Resident of Village -
Gordah, Ward No. 05, P.S.- Salakhua, District - Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vinod Yadav @ Binod Yadav Son of Pana Lal Yadav Resident of Village -
Gordah, Ward No. 05, P.S.- Salakhua, District - Saharsa.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Tej Pratap Singh
For the Opposite Party/s : Mr.Shailendra Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 18-02-2020 Heard learned counsel for the petitioner as well as

learned APP for the State.

This application has been filed for cancellation of bail granted to the Opposite Party No.2 vide order dated 22.07.2019 passed by learned ACJM-IV, Saharsa in Salakhua P.S.Case No.85 of 2018 registered for the offences punishable under Sections 307 and other allied Sections of the IPC and Section 27 of the Arms Act.

Submission of learned counsel for the petitioner is that there is direct allegation against the Opposite Party No.2 of firing on the informant causing injury on his leg but in spite of that on the day of surrender itself, he has been granted bail on



the ground of alibi which has not been verified up-till now. As such, he has prayed for cancellation of bail.

Heard learned counsel for the APP as well as learned counsel for the Opposite Party No.2 who has opposed this application on the ground that after perusal of the case diary, the bail has been granted to the petitioner on the plea of alibi, in view of para- 64 of the case diary, which disclosed that I.O. has verified the alibi of the informant which suggests that the Opposite Party No.2 was present at his school at the time of occurrence.

Considering the discussions as made above, I find no merit in this application. Accordingly, this application is dismissed.

(Vinod Kumar Sinha, J)

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