

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1099 of 2021**

Arising Out of PS. Case No.-587 Year-2019 Thana- SUPAUL District- Supaul

GAJENDRA YADAV Son of Satrugan Yadav Resident of Village- Lauth
Panchayat, Raja Kharhor, Ward No. 01, P.S.- Supaul, District- Supaul.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Birendra Kumar Singh
For the Respondent/s : Mr.A.G.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 15-04-2021 This matter is taken up for consideration through
Video Conferencing under the orders of Hon'ble the Chief
Justice.

Heard learned counsel for the appellant and the State.

The present memo of appeal has been filed on behalf
of the appellant for grant of bail against the order dated
25.01.2020 passed by learned Additional Sessions Judge Ist-
cum-Special Judge (SC/ST Act), Supaul in connection with
Supaul P.S. Case No. 587 of 2019 (SC/ST Case No. 85 of 2019)
under Sections 147, 148, 149, 341, 323, 324 and 302 of the
Indian Penal Code and section 27 of the Arms Act and section
3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Act, 1989, whereby the prayer for bail
of the appellant was rejected.



Prosecution case in brief is that on the alleged date of occurrence, the informant heard sound of gunshot, then he along with neighbours rushed to the place of occurrence and saw this appellant armed with pistol running away from the said place and Informant's son Gajendra Kumar Sada (deceased) was wriggling with pain out of the gunshot injuries which he had received. Later on, he succumbed to the injuries. It is further alleged that informant came to know from the villagers that this appellant shot the deceased. Moreover, other co-accused persons have already been granted bail by this Hon'ble Court vide Annexure-4 series. Appellant has got clean antecedent, as stated in para 3 of the petition.

However, counsel for the State vehemently opposed the bail application and submitted that appellant is the main assailant and there is direct and specific allegation that he fired upon the deceased causing his death.

Considering the fact that there is specific allegation of firing against this appellant, the prayer bail of the appellant is rejected.

(Prabhat Kumar Singh, J)

vinita/-

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

