

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14027 of 2021

Arising Out of PS. Case No.-116 Year-2016 Thana- ALOULI District- Khagaria

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AJABLAL YADAV S/o Late Baldeo Yadav Resident of Village- Shumbha,
P.S.- Alauli, District- Khagaria, At present- Birla Colony, Ward No. 3,
Medauli, P.S.- Singrauli, District- Sidhi (M.P.).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate
Mr. Rakesh Singh, Advocate
For the Opposite Party/s : Dr. Ajit Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 04-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred the instant application for grant of regular bail in connection with Alouli P.S. Case no. 116 of 2016 registered under sections 302 and 120B of the Indian Penal Code and section 27 of the Arms Act.

As per allegations in the F.I.R, on hearing the sound of firing, the informant saw the four named accused persons including the petitioner herein coming out of the hut of his brother, armed with pistol. It is stated that one another accused as also 5 to 6 unknown persons were waiting outside. After the accused having run away, it is stated that on entering the hut of



his brother, he found his brother-in-law to have died having sustained multiple gunshot injuries on his chest and stomach.

It is submitted by learned Senior counsel appearing for the petitioner that the allegations as levelled in the F.I.R. are false and concocted. The informant is not an eye witness to the occurrence. The allegations are general and omnibus in nature. The petitioner is in custody since 10.9.2020. Investigation in the case has concluded and he has no criminal antecedent.

Learned A.P.P. for the State opposes the prayer for bail and submits that inspite of being a named accused in a case of the year 2016, the petitioner continued to abscond for a period 4 years till he was arrested on 10.9.2020.

Having heard learned counsel for the parties and taking into consideration the allegations as contained in the F.I.R. which is confirmed from the contents of the postmortem report, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned Trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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