

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3749 of 2020

Arising Out of PS. Case No.-213 Year-2019 Thana- HASANPUR District- Samastipur

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1. MANISH YADAV, S/o Nakachhedi Yadav @ Chhedi Yadav, R/o village-Bela, P.S.- Hasanpur, District- Samastipur
 2. Chhotu Yadav @ Amit Kumar Yadav, S/o Bhuneshwar Yadav, R/o village-Bela, P.S.- Hasanpur, District- Samastipur ... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr. Binod Kumar Sinha, Adv.

For the Opposite Party : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

6 09-12-2021 Heard the parties.

The petitioners who are in custody since 26.10.2019 seeks regular bail in connection with Hassanpur P.S. Case No. 213 of 2019 registered for offences punishable under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act, 1959.

Prosecution in brief is that on the basis of statement of Manoj Yadav before the police at Ghutti Jeevan Hospital, Begusarai, at the place of the dead body of his brother Saroj Yadav that the deceased while was admitted in the hospital had informed that Manish Yadav and Chhotu Yadav @ Amit Kumar Yadav shot him from blank range which ultimately caused death of the brother of the informant.

Learned counsel appearing on behalf of the petitioners



submits that there is no eye witness of the occurrence and due to local politics the petitioners, above named, have been involved in this case and as such the petitioners be enlarged on bail.

Learned Additional Public Prosecutor appearing on behalf of the State submits that there are ample evidence and direct allegation against the petitioners which is apparent from the perusal of the first information report. He further submits that these two petitioners have shot the brother of the informant, who died in course of treatment and during the said course of treatment the deceased disclosed the name of these petitioners. He further submits that the said fact is also corroborated in paragraphs 11, 12 and 22 of the case diary. The post mortem report also shows that the deceased has sustained three fire arm injuries.

Considering the above mentioned facts and nature of offence being committed by the petitioners, above named, I am not inclined to enlarge the petitioners on bail.

The prayer for bail of the petitioners is **rejected**.

(Purnendu Singh, J)

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