

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24943 of 2021

Arising Out of PS. Case No.-58 Year-2019 Thana- GHOSWARI District- Patna

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MAHESH YADAV SON OF LATE SHIV DANI YADAV RESIDENT OF
VILLAGE- GOSHAI GAON, P.S. GHOSWARI, DISTRICT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 16-12-2021

Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under section 302 and other sections of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, the petitioner is stated to have fired on the father of the informant as a result of which he died.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case because of previous enmity. There is an unexplained delay in lodging of the F.I.R. The petitioner is in custody since 16.3.2020 and has no criminal antecedent. Chargesheet has been submitted in the case. It is further submitted that from the F.I.R. and post-



mortem report read together, it would transpire that the F.I.R. was registered after the post-mortem report has been conducted which clearly shows that the F.I.R. was manipulated and an afterthought.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the allegations against the petitioner in the F.I.R. of being the main assailant having been supported by the contents of the post-mortem 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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