

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 14922 of 2020

Arising Out of PS. Case No.-20 Year-2019 Thana- SHAMBHUGANJ District- Banka

TIROPATI YADAV @ TRIO YADAV @ TIRUPATI YADAV Son of
Bishnudeo Yadav @ Bishundeo Yadav @ Vishundeo Yadav Resident of
Village - Majhgany/Manjhgay, Police Station - Shambhuganj, District -
Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Balram Kapri, Adv.
For the Opposite Party/s	:	Mr.Ashok Kumar, APP
For the informant	:	Mr. Ajay Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

6 05-01-2021 Heard the learned counsel for the petitioner,
the learned APP for the State, Sri Ashok Kumar and
the learned counsel appearing for the informant,
Sri Ajay Kumar.

The petitioner seeks regular bail in connection
with Shambhuganj P.S. Case No. 20 of 2019,
registered for the offence punishable under
Sections 302, 120(B)/34 of the Indian Penal Code
and Section 27 of the Arms Act.

The allegation is regarding the petitioner and
one co-accused person having fired gunshots on
the brother of the informant resulting in his death.

The learned counsel for the petitioner has



submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 18.02.2019.

Per contra, the learned APP for the State, Sri Ashok Kumar and the learned counsel for the informant, Sri Ajay Kumar, have vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available in the case diary, I find that a prima facie case is definitely made out against the petitioner, who is the main assailant, which has been resulted in death of the deceased on account of firearm injury, hence, I do not find the present case to be a fit case for grant of bail to the petitioner, thus, the present petition stands dismissed.

(Mohit Kumar Shah, J)

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