

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31737 of 2021

Arising Out of PS. Case No.-49 Year-2020 Thana- BIHARIGANJ District- Madhepura

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ARUN YADAV Son of Late Janeshwari Yadav Resident of Village - Kusthan ,
P.S. - Bihariganj, District - Madhepura.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjay Kumar Singh

For the Opposite Party/s : Mr. Arvind Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-08-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 302/34 of the Indian Penal
Code and u/s 27 of Arms Act.

As per the prosecution case, on the alleged date and
time of occurrence when the informant was talking with his
brother Binod Kumar Agrawal in front of the fertilizer shop, the
FIR named accused persons, including this petitioner, armed
with deadly weapon, riding on motor cycle, came and shot the
brother of informant who died on spot. It is further alleged that
prior to the occurrence Bihariganj PS case No. 206/2018 and
Sanha Entry No. 1066/2018 were filed against the accused
persons and there was inimical term between the parties on
account of land dispute.



Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case due to land dispute. Three persons made firing but only one injury was found on the person of deceased. Petitioner is in custody since 26.11.2020.

Learned counsel appearing for the State opposes the prayer for bail and submits that there is direct and specific allegation against this petitioner that he along with two other accused persons fired causing the death of brother of informant on the spot.

Considering the facts aforesaid and the gravity of offence, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

Since the petitioner is in custody since 26.11.2020, the trial court is directed to conclude the trial as soon as possible.

(Prabhat Kumar Singh, J)

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