

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32292 of 2020

Arising Out of PS. Case No.-273 Year-2019 Thana- MANSI District- Khagaria

MANOJ YADAV S/o Ramdeo Yadav Resident of Village-Dhamhara, P.S.-
Mansi, District-Khagaria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr. Viveka Nand Singh
For the Opposite Party/s :	Mr. Arvind Kumar Pandey, APP
For the Informant :	Mr. Shekhar Kumar Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

6 19-01-2021 Heard learned counsel for the parties.

This application for grant of regular bail arises out of Mansi P.S. Case No. 273 of 2019, registered for the offence punishable under Sections 147, 148, 149, 341, 307, 302, 120(B), 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

From the First Information Report, it transpires that there is specific allegation against the petitioner of having shot at the deceased. The deceased, admittedly, died of firearm injuries.

Mr. Viveka Nand Singh, learned counsel appearing on behalf of the petitioner has submitted that one of the injured witness, namely, Abdul Salam has been examined by the police and from his statement, recorded under Section 161 of the Code



of Criminal Procedure, it appears that he had not made any specific allegation against this petitioner.

I have carefully perused the case diary, particularly paragraph 53 thereof, which contains the statement of injured witness Abdul Salam. He has specifically alleged in his statement that the accused persons, led by the petitioner, had attacked the victim. It transpires that the statement of said injured witness corroborates the prosecution's story as disclosed in the First Information Report.

Considering this aspect of the matter and the fact that the petitioner has criminal antecedent, I am not inclined to grant the petitioner privilege of regular bail for the present.

This application is accordingly rejected.

The petitioner shall, however, be at liberty to renew his prayer for bail after framing of charge, if not already framed.

(Chakradhari Sharan Singh, J)

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