

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56374 of 2021

Arising Out of PS. Case No.-203 Year-2019 Thana- SALAKHUA District- Saharsa

ROSHAN YADAV @ RAUSHAN YADAV SON OF RAMCHANDRA
YADAV RESIDENT OF VILLAGE - MUNDICHAK, P.S- SALKHUA,
DIST- SAHARSA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rashmi Jha, Adv.

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 01-12-2021

Heard learned counsel for the parties.

The petitioner has renewed his prayer for bail in a case registered under section 302 and other sections of the Indian Penal Code and section 27 of the Arms Act.

It is submitted by learned counsel for the petitioner that the earlier prayer for bail of the petitioner was rejected vide order dated 15.12.2020 passed in Cr. Misc. no.28268 of 2020. It is submitted that the case of the petitioner stands on more or less similar ground to that of co-accused Bhmeshwar Prasad whose alias name is Ramesh Prasad and there is specific allegation of overt act against him. The same Bhmeshwar Prasad has been enlarged on anticipatory bail vide order dated 19.6.2020. Hence, the petitioner who has no criminal antecedent and has remained



in custody since 4.1.2020 be enlarged on bail.

It is further submitted that a supplementary affidavit has been filed in the case bringing on record the depositions of the four prosecution witnesses to show that they have not supported the prosecution case.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the direct allegation against the petitioner in the F.I.R. together with the progress in the trial in the learned trial court, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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