

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1722 of 2021

Arising Out of PS. Case No.-137 Year-2020 Thana- KONCH District- Gaya

ANIL YADAV Son of Late Ramanand Yadav Resident of Village - Sinduari,
P.S.- Konch, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Birendra Kumar Singh
For the Opposite Party/s :	Mr.Shashank Shekhar, Mr. Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 09-06-2021 This matter is taken up for consideration through
Video Conferencing under the orders of Hon'ble the Chief
Justice.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Konch P.S. Case No. 137
of 2020, registered for the offence punishable under Sections
307, 302, 504 and other allied sections of the Indian Penal Code
and section 27 and 35 of the Arms Act.

As per the prosecution case, co-accused Vimlesh
Kumar fired upon Grijesh Sharma Kaushik (deceased) causing
injury on his abdomen and this petitioner is also alleged to have
fired upon him causing chest injury, as a result of which he died.



It is submitted on behalf of the petitioner that petitioner is innocent and has been falsely implicated due to village politics. There is case and counter case and cause of death is due to injury on his abdomen, caused by co-accused Vimlesh Kumar. Petitioner is in custody since 05.09.2020.

Learned APP however, vehemently opposed the prayer for bail and submitted that petitioner is one of the assailants and there is direct and specific allegation of firing upon the deceased causing his death.

Considering the facts aforesaid and the nature of allegation, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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