

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4187 of 2021

Arising Out of PS. Case No.-118 Year-2015 Thana- MADHEPUR District- Madhubani

BHIM YADAV SON OF RAMCHANDRA YADAV R/o village- Birpur, P.S.-
Madhepur, District- Madhubani Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar

For the Opposite Party/s : Ms.Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-01-2021 Heard the learned counsel for the petitioner and Ms.
Anita Kumari Singh, the learned APP for the State.

The present petition is by way of fourth attempt at the behest of the petitioner for grant of bail in connection Madhepur PS case no. 118 of 2015 under Sections 307, 302, 120(B)/34 of Indian Penal Code, inasmuch as the earlier bail petitions filed by the petitioner herein has been rejected by this Court vide order dated 20.09.2017, passed in Cr. Misc. no. 45671 of 2017, vide order dated 12.09.2018 passed in Cr. Misc. no. 53784 of 2018 and the one dated 25.09.2019, passed in Cr. Misc. no. 60361 of 2019.

The case of the informant is that when he was returning from Madhepura market on motorcycle along with his brother Kailash Kr. Kaushal, he saw in the mirror of his motorcycle that two motorcyclists were chasing them. Thereafter,



one of the said motorcyclist i.e. the petitioner herein started firing resulting in the brother of the informant receiving two bullet injuries on his back and on other parts of the body, whereafter he fell down and died on the spot.

The learned counsel for the petitioner has submitted that the petitioner is languishing in custody since 13.07.2016 and there is no much progress in the on-going trial.

Per contra, the learned A.P.P. for the State has 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 parties and taking into account the fact that there is no change in the circumstance from the time, this Court has earlier rejected the prayer of the petitioner for grant of regular bail, till date, I do not find any reason to re-consider the prayer of the petitioner for grant of bail, especially considering the fact that the petitioner is alleged to have fired on the brother of the informant resulting in his death which is a grave and heinous crime, apart from the fact that the petitioner is accused in 12 other criminal cases, hence the present petition stands dismissed being devoid of any merit.

(Mohit Kumar Shah, J)

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