

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4514 of 2022

Arising Out of PS. Case No.-328 Year-2018 Thana- JOGAPATTI District- West Champaran

VIJAY KUMAR YADAV @ VIJAY YADAV SON OF LATE CHANDRA
KISHORE YADAV R/O VILLAGE- BADAHARWA, P.S.- YOGAPATTI,
DISTRICT- WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Vaishnavi Singh

For the Opposite Party/s : Mr. Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 01-04-2022 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, this petitioner opened gun fire and killed the deceased and while the accused persons were fleeing away this petitioner was identified by the informant in the electric light.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has committed no offence, as alleged in the FIR. It is submitted that petitioner has falsely implicated due to land dispute for which Partition Suit No. 117/2008 is going on between the parties. It is further submitted



that informant and others hatched up a conspiracy to implicate the petitioner and other co-accused in a case of murder so that under pressure the accused could file compromise in the suit. Petitioner claims clean antecedent and is in custody since 21.08.2021 and investigation in this case is complete.

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 killed the deceased by firing from gun and while fleeing away he was identified by the informant.

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

(Prabhat Kumar Singh, J)

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