

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6281 of 2022**

Arising Out of PS. Case No.-473 Year-2020 Thana- GOPALPUR District- Bhagalpur

JAYJAY RAM YADAV SON OF SRI BUNDE LAL YADAV R/O VILLAGE-
SADHUA, P.S.- RANGRA, DISTRICT- BHAGALPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Jubair Ansari
For the Opposite Party/s : Mr.Anil Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER**

3 03-08-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

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

The petitioner seeks bail in connection with
Gopalpur (Rangra) P.S. Case No. 473 of 2020 registered for the
offences punishable under Sections 147, 148, 149 385 and 302
of the I.P.C. and 27 of the Arms Act.

As per prosecution story, on 14.12.2020 the
informant was at his door step with his father who was sitting
there alongwith other family members. In the meantime
petitioner along with other accused persons came to the house of
informant and started firing upon the informant's father as a
result of which he died on the spot. It is further stated that



accused persons committed the murder when the informant's father had refused to meet the extortion demand of one lakh rupees which was made earlier by the accused persons. It is further alleged that one of the co-accused persons namely Saroj Yadav had earlier forced the informant's brother to consume poison as a result of which informant's brother died.

Learned counsel for the petitioner submits that petitioner is in custody since 16.07.2021 and bears no criminal antecedent. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that there is general and omnibus allegation against the petitioner. As per F.I.R. it is evident that there is specific allegation against co-accused Saroj Yadav that due to firing made by him, the father of the informant sustained injury which was resulted in death of the father of the informant.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner and submitted that there is allegation of incriminating firing made by fire arm and the post-mortem report clearly indicates and corroborate that all the injuries are caused by fire arm.

Considering the facts and circumstances of the case



the accusation as alleged in FIR is totally corroborated with the post-mortem report with regard to the seven injuries caused by fire arm injury. Considering the aforesaid aspect of this case I am not inclined to grant bail to the petitioner. Accordingly, the bail petition of the present petitioner bail stands rejected. Lower Court is directed to expedite the case.

(Alok Kumar Pandey, J)

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