

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8486 of 2022

Arising Out of PS. Case No.-602 Year-2019 Thana- BUXAR District- Buxar

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1. Umashankar Yadav,
 2. Basisth Yadav,
Both Sons of Late Sarju Yadav Resident of Village- Jagdishpur, P.S- Buxar
Muffasil, Dist- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Neeraj Kumar Alias Sanidh

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 04-08-2022 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 petitioners and
learned A.P.P. for the State.

The petitioners seek bail in connection with Buxar
Town P.S. Case 602/2019, registered for the offence punishable
under Sections 147, 148, 149, 302 of the Indian Penal Code and
Section 27 of the Arms Act.

As per prosecution case, accusation against the
petitioners and others to fire pellet upon the victim as a result of
which the victim died on the spot.

Learned counsel for the petitioners submits that



petitioners are innocent and have falsely been implicated in this case. There is specific allegation against Ramjit Yadav who fired on the ear of the deceased but so far these petitioners are concerned it is not stated whose fire causing injury to the deceased. The petitioners are languishing in custody since 23.09.2021. Petitioner no.1 bears criminal antecedent of one case in which he is on bail. Petitioner no.2 bears no criminal antecedent. Charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence.

The learned counsel for the informant as well as learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioners and submits that there is specific allegation against the petitioners who fired upon the victim due to which he died on spot and postmortem report fully supports the prosecution case. Co-accused, Yashwant Yadav has already been rejected the bail petition by the co-ordinate Bench of this Court vide Cr. Misc. No.6222/2020. The case of the present petitioners stand on similar footing.

Considering the facts and circumstances of the case, there is specific allegation against the petitioners as per FIR and the postmortem report clearly corroborated the same, I am not



inclined to grant bail to the petitioners. Hence, prayer for bail of
the petitioners stands rejected.

(Alok Kumar Pandey, J)

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