

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38200 of 2021**

Arising Out of PS. Case No.-99 Year-2020 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

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Vikash Yadav @ Vikas Yadav Son of Ramashish Yadav Resident of Village -
Kabirpur, P.S. Sheikhopur Sarai, District - Sheikhpura.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Vikram Deo Singh, Advocate
For the Opposite Party/s	:	Mr. Bharat Lal, APP
	:	Mr. Gajendra Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 17-01-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State
through virtual court proceedings.

The petitioner seeks bail in connection with
Sheikhopur Sarai P.S. Case No. 99 of 2020 instituted for the
offences under Sections 302 and 34 of the Indian Penal Code
read with Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 11.03.2021 and charge-sheet has
been submitted in the case.

Learned counsel for the petitioner submits that
informant in the F.I.R. alleges that F.I.R. named accused persons
fired indiscriminately killing the nephew of the informant who



received 10-12 gunshot injuries.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case as the allegations are general and omnibus in nature and no specific overt act has been alleged against him.

Learned counsel for the informant and learned A.P.P. for the State vehemently oppose the prayer for bail of the petitioner. Learned counsel for the informant submits that from perusal of the postmortem report it would manifest that the deceased had received multiple gunshot injuries and also that the similarly situated co-accused bail has been rejected by this Court.

Learned counsel for the petitioner does not dispute this submission of the learned counsel for the informant that bail application of similarly situated co-accused has been rejected.

Considering the fact that the petitioner is named in the F.I.R. and has been alleged to have indiscriminately fired, leading to death of the deceased, the Court is not inclined to release the petitioner on bail. His prayer for bail is thus rejected.

(Satyavrat Verma, J)

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