

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.47949 of 2021**

Arising Out of PS. Case No.-446 Year-2020 Thana- DUMRAO District- Buxar

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Amit Yadav @ Amit Kumar Yadav S/O- Suraj Yadav @ Sarjug Yadav R/O  
Village- Pratapsagar, P.S.- Dumraon (Naya Bhojpur O.P.), District- Buxar.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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**Appearance :**

|                            |                                                                           |
|----------------------------|---------------------------------------------------------------------------|
| For the Petitioner/s :     | Mr. N. K. Agrawal- Sr. Advocate<br>Mr. Arvind Kumar Pradhan- Advocate     |
| For the Opposite Party/s : | Mr. Satya Nand Shukla<br>Mr. Nachiketa Jha<br>Mr. Raghwandra Pratap Singh |

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
ORAL ORDER

2      24-01-2022                      Heard learned senior counsel for the petitioner,  
  
learned counsel for the informant and learned APP for the  
  
State through video conferencing.

The petitioner seeks bail in connection with  
  
Dumraon (Naya Bhojpur O.P.) P. S. Case No.446 of 2020,  
  
instituted for the offences under Sections 147, 148, 149,  
  
341, 323, 302, 506 of the Indian Penal Code and Section 27  
  
of the Arms Act.

The learned senior counsel for the petitioner  
  
submits that the petitioner is in custody since 03.04.2021  
  
and charge-sheet has been submitted in the case.

The informant alleges that while his father



(deceased) was sitting at his door and reading newspaper, the named accused persons came and thereafter, it is alleged that Kamlesh Yadav and Rajdev Yadav caught both hands of the deceased and Mantosh Yadav and Suraj Yadav caught both legs of the deceased. Thereafter, it is alleged that Dharmendra Yadav and Jitendra Yadav were standing on the road and were keeping watch and all were carrying small weapon. Further, Birbal Yadav shot below the right ear of the deceased, thereafter, Amit Yadav @ Amit Kumar Yadav (petitioner) fired on the left eyelid of the deceased, thereafter Manish Yadav shot on the back side of the neck of the deceased and on the orders of Rajdev Yadav, accused Saroj Yadav fired 2-3 shots towards the house of the informant and they all after committing the occurrence, fled away.

The learned counsel for the informant as well as learned A.P.P. for the State vehemently opposes the bail application.

Considering the fact that there is direct allegation against this petitioner of firing at the deceased hitting the left eyelid, the Court is not inclined to grant bail to the



petitioner.

Accordingly, the prayer for bail of the petitioner  
stands rejected.

**(Satyavrat Verma, J)**

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