

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53147 of 2021**

Arising Out of PS. Case No.-19 Year-2021 Thana- ISMAILPUR District- Bhagalpur

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ANOJ KUMAR YADAV @ ANOJ YADAV S/o Digamber Yadav R/o village-
Kamla Khund, P.S.- Ismailpur, District- Bhagalpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra

For the Opposite Party/s : Mr.Nawal Kishore Prasad

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 21-01-2022 Heard learned counsel for the petitioner and the State.

The matter has been taken up through video conferencing.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 302 and some other allied Sections of the Indian Penal Code and u/s 27 of Arms Act.

As per the prosecution case, while the informant has gone to purchase medicine, this petitioner along with other FIR named accused persons are waiting for him near Krishi Bhawan and as soon as the informant reached there this petitioner fired on the informant due to which he sustained injury at his right Panjra. Thereafter, other accused persons also assaulted the informant. The informant succumbed to the injuries during the course of treatment.



Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. There is previous enmity between the parties and petitioner lodged Ismailpur PS case No. 101/2020 u/s 302 and other Sections of the IPC against the informant. It is further submitted that Similarly situated accused Manoj Mandal has already been granted bail by the court below. Petitioner is in custody since 17.02.2021 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 of causing fire arm injury to the informant as a result of which he died.

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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