

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64101 of 2021

Arising Out of PS. Case No.-261 Year-2021 Thana- KOILWAR District- Bhojpur

RAJWANSHI YADAV Son of Mangal Yadav Resident of Village - Maudahi,
P.S. - Bihta, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vishwajeet Kumar Mishra, Advocate
For the Informant	:	Mr. Harsh Singh, Advocate
For the Opposite Party/s	:	Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 16-05-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 120B and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, the informant states that he saw the three accused persons including the petitioner herein resorted to indiscriminate firing with pistol on his brother who died on the spot as a result of gun shot injuries.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. The allegations are general and omnibus in nature and the postmortem report does not support the prosecution case. The petitioner is in custody since 12.6.2021.



Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the direct allegation against the petitioner in the FIR that the petitioner and two others resorted to indiscriminate firing resulting in the death of the informant's brother which is supported from the contents of the postmortem report wherein the cause of death is said to be bullet injury on the vital organ brain, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

Prakash/-

U			
---	--	--	--

