

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70798 of 2021

Arising Out of PS. Case No.-165 Year-2016 Thana- SHAMBHUGANJ District- Banka

PARSURAM YADAV Son of Late Bhudeo Yadav Resident of Village-
Ghoshpur, P.S.- Shambhuganj, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh

For the Opposite Party/s : Mr.Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 17-10-2022 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 petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with
Shambhuganj P.S. Case No. 165 of 2016 registered for the
offences punishable under Sections 147, 148, 149, 302, 506 of the
I.P.C and Section 27 of the Arms Act.

As per prosecution case, allegation against the
petitioner is that he alongwith other co-accused fired upon the
informant's brother due to which he sustained gunshot injury and
died on the spot.

Learned counsel for the petitioner submits that
petitioner is in custody since 27.06.2021 and bears no criminal



antecedent. He further submits that FIR has been lodged after delay of 18 hours, for which no plausible explanation has been given by the informant. He also submits that petitioner is quite innocent and falsely implicated in the case. The petitioner has been made accused in the case only on account of political rivalry. He further submits that similarly situated co-accused has already been granted bail vide Cr.Misc.No- 40640 of 2017 by this Hon'ble Court and the case of present petitioner stands on similar footing.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that there is direct allegation against the petitioner and same is supported and corroborated by the postmortem report.

Considering the facts and circumstances of the case, nature of allegation levelled against the petitioner which is quite consistent with the postmortem report, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the present petitioner is hereby rejected.

However, the learned trial court is directed to expedite the trial as far as practicable.

(Alok Kumar Pandey, J)

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