

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72534 of 2021

Arising Out of PS. Case No.-387 Year-2021 Thana- NATHNAGAR District- Bhagalpur

JITIN YADAV Son of Kameshwar Yadav Resident of Village - Kishanpur,
P.S.- Madusudanpur, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indeshwari Prasad Mandal

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 28-07-2022 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
Nathnagar (Madhusudanpur) P.S. Case No. 387 of 2021
registered for the offences punishable under Sections 147, 149,
302 of the Indian Penal Code read with Section 27 of the Arms
Act.

As per prosecution case, accusation against the
petitioner is that he fired upon the informant's son namely Raj
Kumar Yadav due to which he sustained injury and he was taken
to hospital where doctor declared him dead.

Learned counsel for the petitioner submits that



petitioner is in custody since 31.07.2021. Petitioner bears no criminal antecedent. Learned counsel further submits that the informant is not eye witness rather his nephew Gulshan Kumar told the informant all the story as alleged in the F.I.R.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner. He further submits that there is direct allegation of firing against the present petitioner which is quite evident from the statement of Gulshan Kumar, Varun Kumar and others and postmortem report also reveals that cause of death is due to firearm injury.

Considering the facts and circumstances of the case, nature of accusation, coupled with postmortem report and materials available on record, I am not inclined to grant bail to the present petitioner. Accordingly, prayer for bail of the present petitioner stands rejected.

However, learned trial court is directed to expedite the trial.

(Alok Kumar Pandey, J)

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