

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20525 of 2023

Arising Out of PS. Case No.-53 Year-2019 Thana- MALAYPUR District- Jamui

Rajendra Yadav Son of Mishri Yadav Resident of Village- Devachak, Ps-
Malaypur, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Pratap Singh, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 10-05-2023 Heard learned counsel for the parties.

The petitioner has renewed his prayer for bail in connection with Malaypur P.S. Case no. 53 of 2019 registered under sections 302 and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, it is stated by the informant that the four named accused persons caught hold of the informant's brother while this petitioner shot him. The brother of the informant sustained gunshot injury and as a result of which he died.

The earlier application for bail of the petitioner was rejected vide order dated 4.01.2022 (Annexure-1) passed in Cr. Misc. no.26570 of 2021.

It is submitted by learned counsel for the petitioner



that the petitioner has been falsely implicated in the case because of pending land dispute. He is in custody since 18.1.2020 and still no witness has been examined on behalf of the prosecution. He undertakes to cooperate in the trial.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the petitioner being the main/sole assailant of the deceased, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

The petitioner will be at liberty to renew his prayer for bail in the learned trial Court after six months.

(Partha Sarthy, J)

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