

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31475 of 2023

Arising Out of PS. Case No.-29 Year-2016 Thana- DEV District- Aurangabad

Umesh Yadav Son Of Late Karmdev Yadav Resident Of Village-Nakati, P.S.-
Deo, District-Aurangabad

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priyanka Singh

For the Opposite Party/s : Mr.Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 05-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Deo P.S. Case No. 29 of 2016 instituted for the offence under
Sections 302, 147, 148, 149 and 120B of the Indian Penal Code,
Section 27 of the Arms Act and Section 17 of CLA Act.

Allegation against the petitioner along with other co-
accused persons is that they came on bike and took out AK-47.
It is further alleged that this petitioner along with one co-
accused Suresh Yadav fired upon on Manoj Singh due to which
he died. The accused persons were said to be extremist.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this present case. A
statement has been made in para-3 of this petition that the



petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 18.10.2022.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that there is specific overt act of firing against the petitioner to shot fire along with other co-accused upon the deceased, namely, Manoj Singh. It is further submitted that the bail petition of other co-accused person has already been rejected by another co-ordinate Bench of this Court vide order dated 17.03.2017 in Cr. Misc. No. 50017 of 2016.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

The trial court is directed to expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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