

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28344 of 2022

Arising Out of PS. Case No.-242 Year-2020 Thana- BALIYA District- Begusarai

Rajiv Yadav Son Of Late Indra Deo Yadav @ Ino Yadav R/O Village-
Musechak, P.S.- Sahebpur Kamal, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sumiran Singh, Advocate

For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 16-01-2023 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 504, 341 and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, six named accused persons including the petitioner herein are said to have come variously armed and resorted to indiscriminate firing. The petitioner is said to have fired with his pistol hitting the informant's brother in his head

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. The informant is not an eye witness to the occurrence would be evident from the fact that against the allegation of four persons having resorted to firing, 10 gunshot injuries have been found



on the body of the deceased in the postmortem examination.
The petitioner is in custody since 22.8.2020 and investigation in the case has concluded.

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

Having heard learned counsel for the parties and taking into consideration the direct allegation against the petitioner in the FIR of having fired at the brother of the informant who died and the allegations being supported from the postmortem report, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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