

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39710 of 2022

Arising Out of PS. Case No.-678 Year-2021 Thana- ARA NAGAR District- Bhojpur

DOMAN YADAV @ TEJU YADAV S/O BISHESHWAR YADAV Resident
of Mohalla- Nehru Nagar, P.S.- Ara Town, District- Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

4 24-01-2023 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 Ara
Town P.S. Case No. 678 of 2021 registered for the offences
punishable under Sections 302, 34, 120(B) of the Indian Penal
Code and Section 27 of the Arms Act.

As per prosecution case, petitioner and others
started indiscriminate firing upon the informant's father due to
which informant's father died.

Learned counsel for the petitioner submits that
petitioner is in custody since 05.10.2021. Petitioner bears five



criminal antecedent. Learned counsel further submits that petitioner is innocent and has committed no offence as alleged in the F.I.R. Petitioner . Learned counsel further submits that reason behind the occurrence is commercial rivalry between Ganesh Yadav and the deceased and petitioner is falsely implicated in this case.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that petitioner and others caused serious injury to the informant's father as a result of which informant's father died. He further submits that informant has specifically identified the petitioner and co-accused Dabal Yadav and statement of Ayush Kumar under Section 164 of Cr.P.C. is quite evident with regard to the said allegation and and postmortem report indicates 11 injuries on the body of deceased which supports the allegation levelled against the petitioner in the F.I.R.

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 as early as possible.

(Alok Kumar Pandey, J)

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