

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40981 of 2022

Arising Out of PS. Case No.-6 Year-2022 Thana- TANKUPPA District- Gaya

ANUJ YADAV @ RAMANUJ PRASAD YADAV Son of Late Rupan Yadav
Resident of Village - Thekhi, P.S.- Fatehpur, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar

For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 18-01-2023 Hear learned counsel for the petitioner, learned
counsel for the informant and learned APP for the state.

The petitioner has prayed for bail in connection with
Tankuppa P.S. Case No. 6 of 2022 instituted for the offence
under Sections 302, 307, 34 of the Indian Penal Code and
Section 27 of the Arms Act.

The prosecution case relates to commission of murder
of informant's younger brother and also caused firearm injury to
one Vijay Yadav thereafter the case has been lodged against
unknown miscreants.

Learned counsel for the petitioner submits that the
petitioner is innocent and committed no offence. Neither the
petitioner is named in FIR nor he was arrested on spot. He has
falsely been implicated in this present case on the basis of



suspicion. It is further submitted that the petitioner is languishing in judicial custody since 23.3.2022.

Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail and submitted that the petitioner has got five criminal antecedents. It is further submitted that during course of investigation, the name of petitioner and other co-accused has surfaced in this case on the basis of statement of witnesses and survived injured Vijay Yadav who also sustained firearm injury and was treated in hospital. In his fardbeyan, he stated before the police that the petitioner along with five other accused and unknown persons were armed with fire arms and when he along with deceased was going by a motorcycle, they fired at deceased Birendra Yadav and shot him dead and this injured person has taken specifically name of this petitioner who fire at him. From perusal of discharge slip in respect of injured Vijay Yadav, it is found firearm injury abdomen with perforation peritonitis with mesenteic vascular injury with short bowel syndrome. The witnesses also supported the prosecution case.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner of 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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