

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58950 of 2023

Arising Out of PS. Case No.-24 Year-2021 Thana- NADI P.S. District- Bhagalpur

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Badri @ Badra Yadav @ Badri Yadav, Son of Late Chinta @ Chita Yadav
Resident of village - Tulsipur, P.S. - Kharik, Distt. - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Yadav, Advocate

For the Opposite Party/s : Mr.Md. Shakir Ahmad, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 08-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
S.T. No. 45/2023 (arising out of Nadi P.S. Case No. 24/2021),
lodged on 14.08.2021 under Sections 302/34 of the Indian Penal
Code and Section 27 of the Arms Act.

3. As per the prosecution case, the FIR has been
lodged against 9 named accused persons alleging therein that
they all killed the son of the informant by causing gunshot
injury on his head.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence and there is
no eye witness to the occurrence. The allegation against the
petitioner is omnibus and general and he is in custody since
04.07.2022. He further submits that in the post-mortem report,



the cause of death has been opined as fire-arm, but it has not been ascertained that who fired on the victim. The petitioner is accused in six more criminal cases. Learned counsel for the petitioner further submits that the case has been committed to the Court of Sessions and the trial has also been commenced.

5. Learned counsel for the State opposes the prayer for bail and submits that the petitioner has serious criminal antecedent and this aspect must be taken into consideration at the time of considering the bail application of the petitioner.

6. Considering the series of cases pending against the petitioner, I am not inclined to grant regular bail to the petitioner.

7. Accordingly, the prayer for regular bail of the petitioner in connection with S.T. No. 45/2023 (arising out of Nadi P.S. Case No. 24/2021), pending before the learned 1st A.D.J., Naugachia, Bhagalpur is hereby rejected.

8. However, the petitioner would be at liberty to renew his prayer for bail after nine months.

(Dr. Anshuman, J)

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