

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61797 of 2022

Arising Out of PS. Case No.-834 Year-2019 Thana- KHAGARIA District- Khagaria

MADHO YADAV @ MADHU YADAV SON OF LATE HAKRU YADAV @
THAKRU YADAV R/O VILLAGE- HARDIYA, P.S.- DANDARI, DISTT.-
BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mr. J.N. Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 27-04-2023 Heard learned counsel for the petitioner as well as
Shri. J.N. Thakur, learned APP for the State.

In this case, the petitioner is seeking regular bail in connection with Khagaria (Muffasil) P.S. Case No. 834 of 2019, registered for the offences punishable under Sections 341, 302, 34 of the I.P.C. and Section 27 of Arms Act.

As per allegation, when Rajesh Yadav @ Rajpati Yadav was coming to his house from floor-mill, six named accused persons attacked him with firearm and co-accused Madan Yadav at the order of co-accused Pandav Yadav, fired shot targeting Rajesh Yadav who died at the spot.

The learned counsel for the petitioner has submitted that there is no specific overt act against the petitioner. He is



neither order giver nor the assailant.

In reply, the learned APP has submitted that all the six accused persons in conspiracy committed murder of the deceased. Though, there is no specific allegation against the petitioner that he fired shot at the deceased but he was amongst the six persons named in the FIR. The petitioner is a person of strong criminal antecedents of ten cases including two cases under section 302 of the I.P.C.

Considering the above-mentioned facts and circumstances, I do not think it to be a proper case for bail. Accordingly, it stands rejected.

(Nawneet Kumar Pandey, J)

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