

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69890 of 2022**

Arising Out of PS. Case No.-343 Year-2022 Thana- BARHARA District- Bhojpur

DINESH YADAV SON OF NAND BIHARI RAI R/O VILLAGE-
GHUSARIYA, P.S.- BARAHARA, DISTRICT- BHOJPUR (ARA)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anant Kumar Pandey
For the Opposite Party/s : Mr.Nawal Kishore Prasad

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 24-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case instituted for the offence under Sections 307, 120(B) of the Indian Penal Code and Section 27 of the Arms Act. Later on Section 302 of the IPC was added.

As per allegation in the FIR, co-accused Ritesh Yadav and this petitioner both were made firing from their arms upon the informant's son while he was sitting at his house. He got injury at his arms and subsequently he became injured and fell down. He was treated at Primary Health Center, Manichhapra and from there he was referred to P.M.C.H. Patna and during treatment he died.

It is submitted by learned counsel for the petitioner



that petitioner has been falsely implicated in this case due to previous enmity. Informant and petitioner are agnates. Petitioner has got no criminal antecedent and he is languishing in judicial custody since 19.5.2022.

The application for bail is opposed by learned APP for the State and submitted that postmortem report corroborates the prosecution story and doctor opined that death was caused due to firearm injuries. During investigation, several witnesses have also supported the prosecution story.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

The trial court is directed to expedite and conclude the trial.

(Sunil Kumar Panwar, J)

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