

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67417 of 2022

Arising Out of PS. Case No.-121 Year-2020 Thana- CHAUSA District- Madhepura

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AWDHESH YADAV @ ABDHESH YADAV @ AVADHI YADAV Son of
Ramjee Yadav Resident of Village - Shankarpur Nachhadih, P.S.- Chousa,
District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alok Kumar Singh

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

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

ORAL ORDER

3 25-04-2023 Heard learned counsel for the petitioner as well as
learned APP for the State.

In this case, the petitioner is seeking regular bail in
connection with Chousa P.S. Case No. 121 of 2020, registered
for the offences punishable under Sections 302, 34 of the Indian
Penal Code and section 27 of the Arms Act.

As per allegation, the petitioner and other two persons
asked whereabouts of brother of the informant. The informant,
since his relation with the accused persons was cordial, apprised
them that his brother was looking after the maize crop in the
field. Thereafter the accused persons went there and started
indiscriminate firing, targetting the brother of the informant. The
informant and other persons, after hearing the sound of fire-



shot, went there and saw 11 accused persons, who were fleeing away firing shot.

The learned counsel for the petitioner has submitted that the FIR shows itself that there was cordial relation between the informant and the petitioner. As such, there is no motive for commission of the murder of the informant's brother. He has submitted further that none has seen the occurrence.

On the other hand, the learned APP Sri J.N. Thakur has opposed the prayer for bail and submitted that there is allegation that the petitioner and other accused persons committed murder of the deceased by opening fire. The witnesses in paragraph nos. 7 and 10 of the case diary have seen the petitioner at the time of occurrence. The fire-arm injury was found on the person of the deceased.

Considering the above-mentioned facts and circumstances, I am not inclined to release the petitioner on bail, which is hereby rejected.

(Nawneet Kumar Pandey, J)

Kundan/Nirmal

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