

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71760 of 2022

Arising Out of PS. Case No.-114 Year-2020 Thana- GWALPARA District- Madhepura

ROBIN YADAV @ RAVINDRA KUMAR S/o Dhirendra Yadav R/v- shyam,
Ward No. 10, P.S.- Gwalpara, District- Madhepura

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-04-2023 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 341, 323, 302, 504 and 34 of the Indian
Penal Code and Section 27 of the Arms Act.

The allegation against the petitioner along with others is
of firing upon the brother of the informant, on the order of co-
accused Budhan Yadav, leading to his death.

It is submitted by learned counsel for the petitioner that
petitioner has been falsely implicated in this case. He has
committed no offence. He submitted that during investigation two
accused persons alleged to be opened fire upon the deceased
(Gagan Yadav) including this petitioner and co-accused Sandeep
Kumar @ Prince. No one is the eye-witness of the alleged



occurrence. There is a contradiction. Petitioner is languishing in judicial custody since 28.07.2022.

Learned APP for the State has opposed the application for bail and submitted that there is direct allegation against the petitioner of firing upon the deceased resulting into his death. As per postmortem report, it appears that two entry wounds were found on the body of the deceased and the doctor opined that the death is caused by firearm injuries, which corroborates the prosecution case and during investigation all the witnesses have 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 on bail and, as such, his prayer for bail stands rejected.

The trial Court is directed to conclude the trial expeditiously.

(Sunil Kumar Panwar, J)

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