

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74079 of 2022

Arising Out of PS. Case No.-178 Year-2021 Thana- BELDOUR District- Khagaria

VISHUNDEV YADAV @ VISHO YADAV S/o Late Ram Kripal Yadav R/o
village- Bishbari, ward no. 2, P.S.- Gwalpara, Distt- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Mrityunjay Kumar
For the Opposite Party/s	:	Mr.Shantanu Kumar
For the Informant	:	Mr.Rajnish Kumar Singh

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

ORAL ORDER

2 29-03-2023 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 Second Supplementary Beldour P.S. Case No. 178 of 2021, (G.R. No. 2597 of 2021), registered for the offences punishable under Sections 147, 148, 149, 342, 120(B), 307, 302, 504 of the Indian Penal Code and 27(3) of the Arms Act.

As per allegation, in the night on 12.08.2021, when the informant was sleeping in his house, 20-25 accused persons in police uniform entered into his house. Co-accused Manoj Yadav fired shot at Dhananjay Singh, the father of the informant. Co-accused Abhishek Kumar, Ranvir Singh and Indal Mandal Kumar also opened fire at the father of the



informant. Similarly, there is allegation in the FIR that the present petitioner also opened fire at the deceased Dhananjay Singh, which hit his hand and he died.

The learned counsel for the petitioner has submitted that he is innocent and on similar footing, other accused persons have been granted bail by a co-ordinate Bench of this Court. He has submitted further that the case of the petitioner is on similar footing than that of co-accused Dilchan Singh, who has been granted regular bail by a co-ordinate Bench of this Court.

On the other hand, the learned counsel for the informant has opposed the prayer for bail and submitted that the case of the petitioner is not similar to Dilchan Singh, since the allegation against him was general and omnibus. There is allegation against the petitioner that he fired shot at the person of the deceased, which hit his hand. The allegation is corroborated by the medical evidence. The post-mortem report shows that the deceased has suffered fire-arm injury on his hand. He has submitted further that in the present case, one Vijay Singh was also killed and there was allegation against co-accused Anant singh that he fired shot at Vijay Singh.

The allegation against the petitioner is that he fired shot at the deceased, which hit his hand and this allegation is



corroborated by medical evidence i.e. post-mortem report.

In my view, the petitioner does not deserve the
privileges of bail, which is hereby rejected.

(Nawneet Kumar Pandey, J)

Kundan/Nirmal

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