

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19029 of 2024

Arising Out of PS. Case No.-216 Year-2023 Thana- BAHADURPUR District- Darbhanga

Rakesh Yadav @ Malinga S/O Manoj Yadav R/O Village- Taralahi, P.S-
Bahadurpur, Distt.- Darbhanga.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Jagannath Singh, Advocate Md. Ghulam Mustafa, Advocate Mr. Deepak Kumar, Advocate Mr. K. Kashyap, Advocate
For the Opposite Party	:	Ms. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 02-04-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. This application for grant of regular bail arises out of Bahadurpur P.S. Case No.216 of 2023 registered for the offence punishable under sections 302 and 307/34 of the Indian Penal Code and under section 27 of the Arms Act.

3. The petitioner and others are accused of committing murder of a person. The petitioner is accused in two more criminal cases.

4. Learned counsel for the petitioner submits that there is no overt act against the petitioner and he is not named in the F.I.R. and therefore, he deserves bail.

5. During investigation, it has come that the



petitioner has actively participated in the crime. The petitioner has blocked the road so that the victim could not escape and thereafter, all the accused persons have killed him.

6. Considering the fact that the petitioner has actively participated in the killing of the deceased because of the earlier dispute, I am not inclined to grant the petitioner privilege of regular bail. Accordingly, this bail application is rejected. If there is no substantial progress in the trial, the petitioner may renew his prayer for bail.

7. The observations made hereinabove are only for the purpose of deciding the present bail application and the same shall not be construed as an expression on the merits of the matter before the trial court.

(Sandeep Kumar, J)

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