

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46938 of 2024

Arising Out of PS. Case No.-416 Year-2022 Thana- KUSHESHWARASTHAN District-
Darbhanga

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Shankar Yadav Son of Mahendra Yadav R/O Vill.- Tilkeshwar Tole Kramain,
P.S.- Kusheshwar Asthan (Tilkeshwar O.P.), Dist.- Darbhanga

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vivekanand Singh, Adv
For the Opposite Party/s : Mr.Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 31-07-2024 Learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks regular bail in connection with
K. Asthan P.S. Case No. 416/2022 lodged on 08.12.2022 under
Section 302/120B, 34 of the Indian Penal Code. And Section 27
of the Arms Act.

3. As per the prosecution case, the F.I.R. has been
lodged against 14 named accused persons including the present
petitioner that they have made indiscriminate firing and dragged
the husband of the informant from his house and killed him.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He further
submits that from bare perusal of the F.I.R, there is no specific



allegation against the petitioner. It is true that there is allegation of indiscriminate firing but it is also true that at the place of occurrence of the crime, two empty cartridges have been recovered. Counsel further submits that antecedent of the petitioner is not clean and there are 11 cases pending against him. He is in custody since 08.12.2023. Charge-sheet has already been filed.

5. Learned APP for the State opposes the prayer for bail and submits that it is the case of brutal murder where the husband of the informant has been dragged from his house and accused persons have killed him.

6. In the present fact and circumstance, this Court is not inclined to enlarge the petitioner on regular bail.

7. Accordingly, the regular bail application of the petitioner is hereby rejected.

(Dr. Anshuman, J)

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