

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51478 of 2024

Arising Out of PS. Case No.-2 Year-2024 Thana- CHANDI District- Bhojpur

Saheb Yadav @ Saheb son of Harendra Rai @ Harendra Ray Village-
Bhadwar Ps- Chandi Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar, Adv.

For the Opposite Party/s : Mr.Shailendra Kumar, APP

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

ORAL ORDER

3 17-09-2024 Heard the learned counsel for the petitioner as well
as the learned Additional Public Prosecutor for the State.

2. The petitioner is seeking regular bail in connection
with Chandi P.S. Case No. 02 of 2024 for the offences
punishable under Sections 302, 120B of the Indian Penal Code
and Section 27 of the Arms Act.

3. The informant, who is father of the deceased
received an information that his son had suffered fire-arm
injuries. He saw his son in injured condition in an ambulance.
Co-accused Manish Kumar, Chandan Kumar, Tillu Kumar, Om
Kumar @ Priyanshu, Shaheb and Nikil were sitting in that
ambulance. The injured was referred to Patna for better
treatment but he died in way to Patna. The informant came to
know that the friends of his son had committed his murder. It



has further been mentioned in the FIR that Jay Janm Ray (petitioner), who is a tempo driver had carried the injured to Ara in his tempo.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing incriminating article was recovered from possession of the petitioner. He has further submitted that the petitioner was not arrested at the spot. The petitioner is under custody since 02.05.2024. He has also submitted that co-accused Jay Janm Ray has been granted bail in Cr. Misc. No. 35494 of 2024.

5. The case of the petitioner is not on the similar footing to that of co-accused Jay Janm Ray, who has been granted bail by this Court as he was a tempo driver, who brought the injured (since deceased) to Ara for his treatment whereas the petitioner along with other friends of the son of the informant was sitting in the ambulance in which, the injured (since deceased) was being carried on.

6. From perusal of the impugned order dated 21.08.2024 in Cr. Misc. No. 35494 of 2024, it appears that Jay Janm Ray (the petitioner in that case) carried the deceased by his tempo to hospital at Ara for treatment. Moreso, the petitioner



has got criminal antecedent of one case other than the present one.

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

(Nawneet Kumar Pandey, J)

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