

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52292 of 2024

Arising Out of PS. Case No.-248 Year-2024 Thana- SAHARSA SADAR District- Saharsa

Kari Yadav @ Kari Kumar SON OF RAVINDRA YADAV @ YOGENDRA
YADAV VILLAGE- HANUMAN CHOUK, SANT NAGAR, WARD NO.
35/04, PS- SAHARSA, DIST- SAHARSA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vivekanand Singh

For the Opposite Party/s : Mr.Ram Anurag Singh

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

ORAL ORDER

2 01-08-2024 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 Saharsa Sadar P.S. Case No. 248 of 2024 for the offences punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act, later on Sections 25(1-B)A, 26 of the Arms Act were added.

3. As per allegation, on 11.03.2024 at 05:30P.M., the brother of the informant Shiva Roy was at the front of his house near a tea shop, the accused persons came there and started indiscriminate firing, due to which the elder brother of the informant Shiva Roy sustained fire-arm injury and died.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. He has further submitted that the deceased has sustained only one fire-arm injury. He has also submitted that there is no eye witness of the occurrence against the petitioner. It is not clear from the FIR that whose bullet caused the death of the deceased. The petitioner is under custody since 12.03.2024.

5. On the other hand, the learned APP for the State has opposed the prayer for bail and submitted that in paragraph no. 28 of the case diary, there is confessional statement of the petitioner Kari Yadav in which he himself has accepted that he being infuriated, took out the pistol from his waist, shot the deceased and ran away from there. He has further submitted that the witnesses in paragraph nos. 07, 08, 14, 51, 52, 89, 90 of the case diary have fully supported the prosecution case.

6. Considering the above-mentioned facts and circumstances as well as the gravity of the allegation, I do not think it to be a fit case for bail, which is hereby rejected.

(Nawneet Kumar Pandey, J)

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