

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68669 of 2023

Arising Out of PS. Case No.-61 Year-2022 Thana- NARAINPUR District- Bhojpur

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MANISH KUMAR@TIWARI YADAV S/O JANARDAN SINGH R/O
VILLAGE- EKAUNA, PS. AGIAON (GADAHNI), DIST. BHOJPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar
For the Opposite Party/s : Mr.Sangeeta Sharma

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

ORAL ORDER

6 22-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Narainpur P.S. Case No. 61 of 2022 registered for the offence
punishable under Sections-307, 302/34 of the Indian Penal Code
and 27 of the Arms Act.

3. Allegedly, the informant Rohit Kumar (injured)
lodged his fardbeyan stating therein that on 13-06-2022 at 4.00
A.M. while he was going by his motorcycle along with Ayush
Raj @ Sonu, in the way, four miscreants came there on two
motorcycles. On the one motorcycle, co-accused Manjay Yadav
and Tiwary Yadav (petitioner) were present and on the another
motorcycle, co-accused Sunny Yadav and Adam Mian were
present. The petitioner is said to have fired shot at Sonu Yadav
whereas Adam Mian is said to have fired at the informant. The



doctor declared Sonu Yadav dead when he was taken to hospital for treatment.

4. Learned counsel for the petitioner has submitted that Arjun Singh, father of the deceased has also lodged an FIR with the allegation that his son went with Rohit Kumar @ Lallu and he got information that his son was shot dead. It has also been mentioned in the FIR that Arjun Singh suspected that the informant of this case and other accused persons had committed murder of the deceased.

5. On the otherhand, learned counsel for the informant has submitted that the informant of this case was friend of the deceased. He is an injured witness. He had seen the entire occurrence. As per his statement, the petitioner had fired at the deceased. The postmortem report also corroborates the allegation and the case lodged by father of the deceased was dropped by the investigating officer.

6. Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner and accordingly, his prayer for bail is *rejected*.

(Nawneet Kumar Pandey, J)

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