

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82608 of 2023

Arising Out of PS. Case No.-328 Year-2021 Thana- JOGAPATTI District- West Champaran

Balister Yadav S/O Late Kapil Yadav R/O Village- Kavlapur, P.S- Yogapatti
(nawalpur), Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deovind Kumar Singh, Advocate

For the Opposite Party/s : Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 11-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with Jogapatti (Nawalpur) P.S. Case No. 328 of 2021 for the offences registered under Sections 147, 148, 149, 448, 504, 506, 302 of the Indian Penal Code and Section 27 of Arms Act.

3. It is alleged in the prosecution case that accused persons including the petitioner on the order of Gauri Yadav entered into the house taking arms with them and killed her father-in-law by firing on his head. In the light of torch, informant saw that petitioner Balister Yadav holding gun in his hand was fleeing away with others after killing her father-in-law.

4. Learned counsel for the petitioner submits that



petitioner is innocent and has been falsely implicated in this case due to the reason that there are civil dispute between the parties. He further submits that the informant is not the eye witness as she came on the spot after hearing the sound of firing. The petitioner is in jail custody since 25.05.2023 and charge-sheet has already been submitted in this case.

5. Learned counsel appearing on behalf of the State vehemently opposes the prayer for grant of bail to the petitioner and submits that there is direct allegation against the petitioner that he committed murder of the deceased causing firearm injury and further petitioner has four criminal antecedents.

6. Having considered the submissions of the learned counsels for the parties and the facts and circumstances of the case and direct allegation against the petitioner and also criminal antecedents of the petitioner, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected.

(Sunil Dutta Mishra, J)

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