

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81819 of 2023

Arising Out of PS. Case No.-625 Year-2022 Thana- GOPALPUR District- Bhagalpur

RAJESH YADAV S/O LATE BHOLA YADAV VILLAGE- BHAWANIPUR,
PS. RANGRA, DIST. BHAGALPUR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha
For the Opposite Party/s : Mr.Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 05-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Gopalpur (Rangra) P.S. Case No. 625 of 2022 registered on
14.12.2022 lodged under Sections 302/34 of the I.P.C. and
Section 27 of the Arms Act.

3. As per the prosecution case, F.I.R. has been lodged
against five named accused persons including the present
petitioner to whom allegation is that petitioner has fired bullet
shot on the chest of the deceased due to which brother of the
informant died.

4. Counsel for the petitioner submits that there are two
Rajesh Yadav made accused in the F.I.R. and the place of
occurrence is the photo-state shop whereas the informant was
present at the oil shop, as such, he submits that there is no eye
witness in the present case. Counsel further submits that



informant himself is a criminal and there is long dispute going on between them

5. Counsel further submits that petitioner is innocent and has committed no offence. He further submits that petitioner is in custody since 15.12.2022 having seven criminal case pending against him, in which he is on bail. Charge-sheet has already been filed.

6. Learned counsel for the State opposes the prayer for bail and submits that in the performa of the police, the same name has been used in two places whereas in fardbyan there is only one name i.e. Rajesh Kumar to whom there is direct allegation of firing on the chest and the said injury has been fully supported by post-mortem report which has been called for with the case diary.

7. Counsel further submits that it is true that as per F.I.R. informant was present at the oil shop and place of occurrence is photo copy shop but it is nowhere mentioned that both the shops are not visible to each other and from narration of the F.I.R. it transpires that from oil shop, he has seen the occurrence.

8. In the present facts and circumstances of this case this Court is not inclined to grant bail to the petitioner at



present. Accordingly, the bail application of the petitioner is
hereby rejected.

(Dr. Anshuman, J)

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