

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85271 of 2024

Arising Out of PS. Case No.-105 Year-2019 Thana- GOPALPUR District- Bhagalpur

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Tufani Yadav @ Tufna Yadav @ Ramesh Yadav @ Tufana Yadav Naigar
Yadav @ Nengar Yadav @ Nagendra Yadav @ Nageshwar Yadav Resident of
Village - Chapar, P.S- Gopalpur, (Rangra),Dist- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-12-2024 Heard the learned counsel for the
petitioner and the learned APP for the State.

2. The present petition is by way of third
attempt at the behest of the petitioner for grant of
bail in connection with Gopalpur (Rangra) P.S. Case
No. 105 of 2019, registered for the offences
punishable under Sections 147, 148, 149, 342, 302
and 120(B)/34 of the Indian Penal Code and
Section 27 of the Arms Act, inasmuch as the earlier
petitions filed by the petitioner for grant of regular
bail have all stood rejected by this Court.

3. The case of the prosecution, in brief, is
that the informant alongwith her husband, namely,



Bitan Yadav had gone to the field on 14.04.2019 at about 6:00 A.M., to cut the grown up grass of the maize crop and while they were returning, the accused persons including the petitioner herein had surrounded the husband of the informant and as far as the petitioner is concerned, he had fired gun-shots on the husband of the informant, resulting in him being hit by a bullet, whereupon he had fallen on the ground and then the other accused persons had also fired gun-shots.

4. The learned counsel for the petitioner has submitted that the petitioner is languishing in custody since 19.07.2021, without there being any progress in the ongoing trial, hence a sympathetic view be taken and the petitioner be granted the privilege of bail.

5. *Per contra*, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials



available on record, this Court finds that there are ample materials on record to show the complicity of the petitioner in the alleged crime, apart from the fact that the factum of the petitioner having fired gun-shots on the husband of the informant and him sustaining gun-shot injuries leading to his death stands substantiated and moreover, there is no change in circumstance so as to warrant reconsideration of the prayer of the petitioner for grant of bail, hence I do not find any merit in the present petition, thus, the present petition stands dismissed.

(Mohit Kumar Shah, J)

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