

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9017 of 2025

Arising Out of PS. Case No.-64 Year-2023 Thana- JAYRAMPUR District- Sheikhpura

Dularchand Yadav S/o Late Lagan Yadav R/o vill - Maira, P.S.- Katrisarai,
Distt.- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Sri Rajendra Prasad, Senior Advocate Mr. Pramod Kumar & Mr. Ritesh Kumar, Adv.
For the Opposite Party/s :	Mrs.Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-03-2025 Heard learned senior counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in Jayrampur P.S. Case No. 64 of 2023, registered for offence under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per F.I.R., it is alleged that on the occasion of birthday of daughter of co-accused Mukesh Tanti, dance programme was going on and at about 2 o'clock, this petitioner and co-accused Mukesh Tanti started firing. Meanwhile, the bullet, fired by this petitioner, hit informant's brother, as a result of which, on way to Patna for treatment, he died.

4. Learned counsel for the petitioner submits that from bare perusal of the F.I.R., it is apparent that there was no intention to kill the deceased. In fact, it was a celebratory firing,



but accidentally, the bullet hit on the forehead of informant's brother and he died. No offence under Section 302 of the Indian Penal Code is made out against this petitioner.

5. Learned A.P.P. for the State vehemently opposes the prayer for bail and submits that petitioner is named in the F.I.R. and there is specific and direct allegation against him that he fired upon the deceased, as a result of which, he died. Petitioner is the main assailant of the deceased. Besides this, petitioner has got three criminal antecedent.

6. Considering the nature of accusation and criminal antecedent, the prayer for bail of petitioner is rejected.

(Prabhat Kumar Singh, J)

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