

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67237 of 2024

Arising Out of PS. Case No.-380 Year-2022 Thana- GAYA MUFASIL District- Gaya

Bhola Yadav @ Navneet Kumar Son of Bali Yadav @ Bali Ram Yadav @
Ram Bali Yadav R/O Vill.- Belhanti, P.S.- Muffasil, Dist.- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Adv. Mr. Bhaskar Shankar, Adv. Ms. Sneha Shruti, Adv.
For the Opposite Party/s	:	Mr. Rajiv Nayan, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

5 28-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with S.Tr. No. 1267/2023 arising out of Muffasil P.S. Case No. 380 of 2022 dated 09.06.2022 registered for the offences punishable u/ss 302 read with Section 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, the informant's husband and her daughter were coming to their home from village Simurahi. In the meantime, eight miscreants including the petitioner, who were ambushed on the way, suddenly



attacked her husband. On order of co-accused, Arun Yadav, the petitioner fired with intention to kill the informant's husband which hit on his head and the co-accused, Mahesh Yadav fired which hit his stomach and thereafter all the accused persons fled away from there. On way to hospital, the informant's husband namely Kishori Yadav died.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case due to old land dispute. The informant is not an eye witness to the alleged occurrence. The petitioner has no concern with the alleged offence. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 02.08.2023.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioner and submitted that the prayer for bail of the petitioner was earlier rejected by a Coordinate Bench of this court vide order dated 01.02.2024 passed in Cr. Misc. No. 86045/2023. Learned counsel has further submitted that there is direct allegation against the petitioner who fired on the informant's husband which hit on his head due to which he succumbed to the gunshot injury. The Post-mortem report corroborates the allegation of the gunshot injury as alleged in



the F.I.R. During the investigation, several witnesses have supported the prosecution case.

6. Considering the aforesaid facts and circumstances of the case as well as the specific and heinous nature of allegation against the petitioner, I am not inclined to enlarge the petitioner above-named on bail.

7. The application stands rejected.

(Chandra Prakash Singh, J)

Gautam/-

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