

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84962 of 2024

Arising Out of PS. Case No.-67 Year-2022 Thana- FATEHPUR District- Gaya

Binod Yadav Son of Kishun Yadav Resident of Village- Basua, P.s.- Fatehpur,
Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priya Ranjan, Adv.

For the Opposite Party/s : Mr.Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-02-2025 Heard the parties.

2. The petitioner is in custody in connection with Fatehpur P.S. Case No. 67 of 2022 for the offence registered on 17.02.2022 under Sections 147, 148, 149, 341, 323, 326 and 307 of the Indian Penal Code and Section 27 of the Arms Act by the informant, Mundrika Yadav.

3. As per the prosecution story, the informant alleged that while going to his house by the motorcycle, he was intercepted and this petitioner opened fire twice, one of them hit his stomach. This led to the FIR.

4. Learned counsel for the petitioner submits that he has suffered being in custody since 08.08.2024 though concedes that he has got criminal antecedent of the same nature.

5. Learned APP, Mr. Jitendra Kumar Singh, opposes



the prayer submitting that the petitioner is the main accused having opened fire causing injury in the stomach. The occurrence took place on 17.02.2022 and the anticipatory bail filed by him was rejected on 03.02.2023. Still he chose not to surrender and ultimately come into judicial custody one and half years after the rejection of his anticipatory bail petition.

6. Considering the allegation that has come against the petitioner coupled with the fact that he deliberately delayed his entry into judicial custody, so that the trial could not move, in that background, for the present, this Court is not inclined the privilege of bail to the petitioner.

7. Accordingly, the bail application of the petitioner stands rejected.

(Rajiv Roy, J)

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