

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89005 of 2024

Arising Out of PS. Case No.-72 Year-2018 Thana- BITHAN District- Samastipur

Deepak Yadav @ Dilip Yadav S/O Lakshmi Yadav @ Bhatiyal Yadav
Resident of Village- Chhechhani Narpa, P.S- Bithan, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhay Shanker Singh, Advocate Mr. Barun Kumar Singh, Advocate
For the State	:	Mr. Suresh Pd. Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 07-02-2025 Heard Mr. Abhay Shanker Singh, learned counsel
for the petitioner and Mr. Suresh Pd. Singh, learned APP for the
State.

2. Petitioner seeks regular bail in connection with
S.T. No. 425 of 2024 arising out of Bithan P.S. Case No. 72 of
2018, dated 13.08.2018 registered for the offences punishable
under Sections 341, 342 and 307 read with Section 34 of the
Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution story, the petitioner (Dilip
Yadav) alongwith one co-accused namely, Pappu Yadav fired
indiscriminately at the informant with an intention to kill him.

4. The main submissions advanced by learned counsel
for the petitioner are that as per the allegation levelled by the
informant, indiscriminate firing was made by this petitioner and



one co-accused namely, Pappu Yadav but at the place of occurrence, no bullet shell was found and surprisingly, the informant did not sustain any firearm injury despite the indiscriminate firing by two persons from close range as alleged by the informant in the FIR which in itself falsifies the allegation. It is further submitted that the petitioner has been languishing in jail since 03.08.2023 and he has been acquitted in Bithan P. S. Case No. 14/16 which is said to be the main reason on the part of the petitioner and co-accused persons for attempting to kill the informant.

5. Learned APP appearing for the State has opposed the prayer for bail of the petitioner.

6. Heard both the sides and perused the FIR and the case diary. The petitioner is named in the FIR and against him, there are seven criminal cases in addition to the present matter and the informant claimed to have identified the petitioner as one of the attackers and as per him, two years back his co-villager Virendra Yadav and his relative Birju Yadav were murdered by a gang led by one, Pappu Yadav, for which Bithan P.S. Case No. 14/16 was lodged in which he (the informant) was an eyewitness and as per his allegation, he was being pressurized by the petitioner and others to make compromise in



the said Bithan P.S. Case No. 14 of 2016 and consequently, the alleged occurrence took place. Considering the nature of allegation and mainly taking into account the petitioner's criminal antecedents of seven cases, this Court is not inclined to grant the relief of bail to the petitioner, accordingly, his prayer stands rejected.

7. The petitioner may renew his bail prayer after examination of the informant in his trial.

(Shailendra Singh, J)

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