

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7296 of 2015

Arising Out of PS.Case No. -97 Year- 2014 Thana -BELHAR District- BANKA

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1. Pappu Yadav Son of Rohan Yadav, Resident of Village - Chaiti, P.S. - Belhar, District - Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey

For the Opposite Party/s : Mr. C.Sen Pd.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

5 01-05-2015 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with Belhar P.S. Case No. 97 of 2014 registered under Sections- 302, 201/34 of the Indian Penal Code and 27 of the Arms Act.

The petitioner is named in the first information report with accusation that he along with 5 other accused, took the deceased on the alleged date of occurrence and subsequently, the dead body of the deceased was found.

The contention on behalf of the petitioner is that the informant filed Protest Petition in which, he specifically stated that the petitioner does not have any role in the present case and furthermore, in course of trial of the other accused, the informant

as well as three other prosecution witnesses have stated nothing against the petitioner.

Considering the facts and circumstances of the case as well as submissions of the parties, I am not inclined to extend the privilege of anticipatory bail to the petitioner and, accordingly, his prayer for anticipatory bail in connection with Belhar P.S. Case No. 97 of 2014 pending in the court of learned Chief Judicial Magistrate, Banka stands rejected.

However, if, the petitioner surrenders and seeks regular bail before the court below within six weeks from today, the concerned court shall pass appropriate order on the regular bail petition of the petitioner on the date of his surrender itself and if, after that, any regular bail application is filed before the Sessions Court, the concerned Sessions Court shall consider the regular bail application of the petitioner on its own merit, without being prejudiced by this rejection order, particularly, taking not of this fact that at subsequent stage, the informant does not level any allegation against the petitioner.

(Hemant Kumar Srivastava, J)

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