

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37876 of 2015

Arising Out of PS.Case No. -153 Year- 2014 Thana -SALKHUA District- SAHARSA

1. Chhabila Yadav
2. Ramanand Yadav
Both S/o Kartik Yadav Resident of village - Chaman Tola P.S. Sahebpur
Kamal Distt. - Begusarai At Present Resident of village - Kharosia, P.S.
Salkhua, Distt. - Saharsa

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha

For the Opposite Party/s : Mr. Smt. Pushpa Sinha(App)

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

3 21-12-2015 Heard Both Sides.

The Petitioners, namely, Chhabila Yadav and Ramanand Yadav, apprehend their arrest in a case under Section 302 and other sections of the Indian Penal Code.

The petitioners are named in the First Information Report and there is allegation that petitioners Chhabila Yadav and Ramanand Yadav along with other accused persons surrounded Sadanand Choudhary and, thereafter, Sachin Yadav and Ajit Yadav fired causing the death of the husband of the informant on the spot. It is submitted that no allegation of firing is made against the petitioner but, on the face of it, it appears that the petitioners

also surrounded the deceased along with other accused persons and only thereafter, Sachin Yadav and Ajit Yadav opened fire causing the death of Ramanand Choudhary.

Considering the aforesaid facts, I am not inclined to enlarge the petitioners on anticipatory bail in Salkhua P.S. Case No. 153 of 2014.

If the petitioner surrenders in the court below, the learned court below shall consider the prayer of the petitioner without being prejudiced from the order of this Court.

(Prabhat Kumar Jha, J)

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