

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37594 of 2014

Arising Out of PS.Case No. -53 Year- 2014 Thana -KATORIA District- BANKA

1. Pappu Yadav Son of Thakur Yadv
2. Darogi Yadav Son of Shivratri Yadav
Both are resident of Village Palaniya, P.S. Katoria, District -Banka
..... Petitioner/s

Versus

The State of Bihar
..... Opposite Party/s

With
Criminal Miscellaneous No.44731 of 2014

Arising Out of PS.Case No. -53 Year- 2014 Thana -KATORIA District- BANKA

Prakash Yadav son of Shiv Ratri Yadav resident of village- Palaniya, P.S.
Katoria, District - Banka.

..... Petitioner/s

Versus

The State of Bihar.
..... Opposite Party/s

Appearance:

(In Cr. Misc. No.37594 of 2014)
For the Petitioner/s : Mr. Brij Nandad Prasad, Advocate.
For the Opposite Party/s : Mr. Shyam Bihari Singh (APP)

(In Cr. Misc. No.44731 of 2014)
For the Petitioner/s : Mr. Brij Nandad Prasad, Advocate.
For the Opposite Party/s : Mrs. Madhuri Lata (APP)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 18-03-2015 It is submitted that petitioner no. 1 in Cr. Misc. No.
37594/2014, namely, Pappu Yadav, has already been arrested.

Accordingly, the Anticipatory Bail Petition of the
petitioner no. 1 Pappu Yadav is dismissed as having become
infructuous.

Heard both sides.

The petitioners in Cr. Misc. No. 37594/2014 and Cr. Misc. No. 44731/2014 apprehend their arrest in Katoria P.S. Case No. 53/2014 under Section 302 and other sections of the Indian Penal Code.

Dinesh Prasad Yadav named the petitioners along with other accused persons and alleged that they all assaulted his father Mantu Yadav and Mantu Yadav died. Thakur Yadav assaulted Mantu Yadav.

On perusal of the records, it appears that Prakash Yadav (petitioner in Cr. Misc. No. 44731/2014) was armed with Kulhari and Darogi Yadav (petitioner no. 2 in Cr. Misc. No. 37594/2014) was armed with lathi. There is a specific allegation against all the accused persons that they brutally assaulted Mantu Yadav, the father of the informant, and Mantu Yadav died. Hence, I am not inclined to enlarge the above named petitioners on anticipatory bail in Katoria P.S. Case No. 53 of 2014. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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