

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 45636 of 2014

Arising Out of PS.Case No. -60 Year- 2014 Thana -ARIARI District- SHEIKHPURA

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Yugal Yadav Son of Late Sukhdev Yadav Resident of village- Gharsanda,
P.S.- Sikandra, District- Jamui.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

3 07-05-2015 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner apprehends arrest in Ariari P.S.
Case No. 60 of 2014 dated 29.05.2014 instituted under
Sections 302/34/120B of the Indian Penal Code and 27 of the
Arms Act.

The allegation against the petitioner and two
others is that they had come with fire arms and fired upon the
deceased in conspiracy with three other persons.

Learned counsel for the petitioner submits that
there is land dispute between the brother-in-law of the
petitioner and the informant and that is why he has been
falsely implicated and further that three witnesses have not
taken the name of the petitioner. It is submitted that the
postmortem report mentions only one fire arm injury and three
persons including the petitioner have been alleged to have fired

upon the deceased.

Learned A.P.P., upon going through the case diary, opposes the prayer for anticipatory bail. He submits that besides having criminal antecedent, there is specific and direct allegation of having fired upon the deceased along with two other co-accused and this Court for the purposes of anticipatory bail may not go into an enquiry as to whose shot had killed the deceased.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on anticipatory bail.

The application, accordingly, stands dismissed.

(Ahsanuddin Amanullah, J.)

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