

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51628 of 2015

=====

1. Sanjay Yadav S/o Late Insafi Yadav R/o Village - Saini Tola
(Bakhtiarpur), P.S. - Bakhtiarpur, District - Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma

For the Opposite Party/s : Mr. Surendra Kumar (App)

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 17-12-2015 Heard Sri Shiva Shankar Sharma, the learned counsel

for the petitioner, and the learned Additional Public Prosecutor for

the State.

The petitioner apprehends his arrest in a case under

Section 364, 302, 201, 120(B) of the Indian Penal Code.

The petitioner is named in the FIR. The informant

alleged that his brother, Kari Yadav @ Raju, went along with

Mukesh Yadav and Amardeep Barhai. Amardeep Barhai was

driving the motor cycle. Rajesh Yadav and Sanjay Yadav also

followed that motor cycle. His brother did not return. During the

course of search Bishun Deo Sharma disclosed that Kari Yadav,

Mukesh and Amardeep had come to his shop for purchasing wine.

Mukesh Yadav disclosed to Bishun Deo Sharma that he killed

Kari Yadav.

The learned counsel for the petitioner submits that petitioner was seen along with deceased and two others at 2 PM. Bishun Deo Sharma did not name the petitioner when Amardeep and Kari went to his shop. The petitioner was not seen at that time. One Manish was arrested on the basis of CDR of his mobile and he confessed his guilt leading to recovery of the dead body of the deceased. It is submitted that Manish did not disclose the name of the petitioner but it appears that petitioner was accompanying the deceased when the deceased left his house. Deceased remained in the company of the brother of the petitioner and others and he was killed in the night itself. Earlier an attempt was made to kill the brother of the deceased by the petitioner's side.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

BKS/-

U		T	
---	--	---	--