

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28458 of 2015

Arising Out of PS.Case No. -145 Year- 2013 Thana -BITHAN BAZAR District- SAMASTIPUR

Pappu Yadav son of Late Vijay Yadav resident of Village - Sanichara,
Police Station - Kusheshwar Asthan, District - Darbhanga.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner : Mr. Ranjit Kumar Yadav

For the Opposite Party : Mr. Shyam Kumar Singh (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 01-10-2015

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in Bithan P.S.Case No.145 of 2013 instituted under Sections 302, 379 and 120(B) of the Indian Penal Code, pending in the court of Judicial Magistrate, Ist Class, Rosera (Samastipur).

As per prosecution case, due to business rivalry the occurrence took place wherein firing and bombarding were performed, on account thereof informant's son was fired upon by the accused persons due to which he fell down and died thereafter.

It has been submitted on behalf of the petitioner has got no criminal antecedent. From perusal of the FIR, it would appear that there is general and omnibus allegation made against the petitioner. No specific allegation has been attributed against

him. There is admitted enmity between the parties for which the petitioner has falsely been implicated in the present case.

On behalf of the State, it has been submitted that petitioner is named in the FIR.

Considering the aforesaid facts, I am not inclined to grant anticipatory bail to the petitioner and the same is rejected.

Anyhow, if the petitioner surrenders in the court below within a period of four weeks and pray for regular bail, same shall be considered by the court below on its own merit without being prejudiced by this order of rejection.

(Sudhir Singh, J)

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