

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38893 of 2015

Arising Out of PS.Case No. -401 Year- 2011 Thana -BIHPUR District- BHAGALPUR

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Navin Yadav S/o Congress Yadav Resident of Village Narayanpur, P.S.
Bihpur (Bhawanipur), District Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Kamlesh Kumar Pathak

For the Opposite Party/s : Mr. Md.Nazir Ansari(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 07-12-2015 Heard both sides.

The petitioner apprehends his arrest in a case under
Sections 364, 302, 201 and 120(B) of the Indian Penal Code.

The complainant filed a complaint petition on the
basis of which the present F.I.R. is lodged. The informant made
allegation that the petitioner and others took her son for
employment to Himachal Pradesh. It is alleged that the petitioner
took compensation from the Company after killing her son. The
learned counsel submits that during the course of investigation, the
sister of the deceased made allegation that firstly the petitioner
took her brother to Himachal Pradesh but her brother returned and
thereafter Rajesh Yadav took his brother to Himachal Pradesh but
his brother did not return. It appears that the informant has made
allegation against the petitioner and other accused persons that

they took her son to Himachal Pradesh for employment but her son was killed. After investigation, the police submitted chargesheet. Similarly situated co-accused persons, namely, Rajesh Yadav and others have already been granted regular bail vide order passed in Cr. Misc. No. 2460/2015.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail in Bihpur (Bhawanipur) P.S. Case No. 401 of 2011. Accordingly, the same is rejected.

The petitioner, if so advised, may surrender in the court below and make prayer for regular bail. The court below shall consider the prayer for regular bail of the petitioner taking into consideration that similarly situated accused persons have been granted regular bail.

(Prabhat Kumar Jha, J)

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