

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42843 of 2014

Arising Out of PS.Case No. -55 Year- 2000 Thana -KHAIRA District- JAMUI

- =====
1. Mahendra Yadav, Son of Late Nuneshwar Yadav.
 2. Raghu Yadav, Son of Late Birbal Yadav.
- Both Resident of Village - Mangobandar, P.S.- Khaira, District –Jamui.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prakash Mahto, Advocate.

For the Opposite Party/s : Mr. Sanjay Kr.Pandey(APP)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 27-03-2015 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with
Khaira P.S. Case No.55 of 2000 registered under Sections 307/34
of the Penal Code, pending in the court of the Chief Judicial
Magistrate, Jamui.

The allegation is that the petitioners and one co-accused,
Virendra Yadav, came at the betel shop of the informant and
demanded betel from him. On account of delay in handing over
the betel to them, on the order of the co-accused, Virendra Yadav,
the petitioner, Mahendra Yadav, fired shot at him causing injury
on his left armpit. When the informant fell down on the ground,

the petitioner, Raghu Yadav, asked to kill him saying that he is still alive using abusive language. In the meantime, the people gathered there and all the three fled away.

Learned counsel for the petitioners submits that while the petitioners are named in the F.I.R. alongwith the co-accused, Virendra Yadav, but on investigation, the police submitted the final form against the petitioners submitting the chargesheet against the co-accused, Virendra Yadav, but the learned Chief Judicial Magistrate, Jamui, illegally took the cognizance of the offence against the petitioners also.

Having considered the facts and the circumstances of the case and nature of allegation against the petitioners, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, the prayer of the petitioners for anticipatory bail stands rejected.

(Rajendra Kumar Mishra, J)

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