

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21206 of 2016

Arising Out of PS.Case No. -176 Year- 2015 Thana -KAKO District- JEHANABAD

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1. Shailesh Yadav Son of Rama Nand Yadav
2. Kaushalendra Yadav son of Indal Yadav
3. Ravindra Yadav @ Ravindra Kumar (Yadav)
4. Bindal Yadav
Petitioner nos. 3 and 4 are sons of Shiv Sharan Yadav
All above are resident of Village- Chandraura Tola, Mohan Bigha, PS Kako,
Dist. Jehanabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Girish Chandra Sharma, Advocate.
For the Opposite Party/s : Mr. Pranav Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 20-07-2016 Petitioner no. 4, namely, Bindal Yadav has already

been arrested and, accordingly, his prayer for anticipatory bail is

dismissed as has become infructuous.

Heard both sides.

The petitioners, namely, Shailesh Yadav,
Kaushalendra Yadav and Ravindra Yadav @ Ravindra Kumar
Yadav apprehend their arrest in Kako P.S. Case No. 176/2015
under Sections 147, 148, 149 and 307 of the Indian Penal Code
and Section 27 of the Arms Act.

The petitioners and others are alleged to have made
indiscriminate firing causing firearm injury in the stomach of
Jairam Kumar. Santosh Kumar also got injury in his fingers.

Khirodhar Yadav is said to have fired causing firearm injury to Santosh Kumar. Learned counsel for the petitioners submits that the petitioners are innocent and no specific allegation of firing is made against them. There is a counter-version being Kako P.S. case No. 175/2015. It is submitted that petitioners no. 1, 3 and 4 have got criminal antecedents but there is no criminal case pending against the petitioner no. 2 Kaushalendra Yadav.

On the other hand, learned counsel for the informant vehemently opposed the prayer for anticipatory bail. It is submitted that there is a case and counter-case but the prayer of the petitioners in the counter-case has already been rejected. The petitioners are alleged to have indiscriminately fired.

Considering the fact that the petitioners are alleged to have indiscriminately fired and petitioners no. 1 and 3 have got criminal antecedents, I am not inclined to enlarge the above named petitioners no. 1, 2 and 3 on anticipatory bail in Kako P.S. Case No. 176 of 2015. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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