

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22772 of 2016

Arising Out of P.S. Case No. -289 Year- 2015 Thana - GOPALPUR District- BHAGALPUR

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Prashant Yadav @ Pintu Yadav, Son of Deonandan Yadav, Resident of
Village - Bhawanipur, P.S. Rangra (O.P.), District - Bhagalpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Radha Mohan Singh, Advocate.

For the Opposite Party/s : Mr. Iftekhar Mahmood, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 28-07-2016

Heard both sides.

The petitioner apprehends his arrest in Gopalpur P.S.

Case No. 289 of 2015 registered under Sections 302, 201, 120(B)
and 34 of the Indian Penal Code and Section 27 of the Arms Act.

The brother of the deceased alleged that the petitioner
and others conspired and in pursuance of the conspiracy Bedo
Yadav developed friendship with the informant's brother Chamru
Yadav. Bedo Yadav took Chamru Yadav on 24.12.2015 on the
pretext of walk but Chamru Yadav did not return. On 26.12.2015
the dead body of Chamru Yadav was found lying in a field. It is
submitted that there is no eye witness of the occurrence. Nobody
has seen taking away the deceased. Bedo Yadav is said to have
taken the deceased. Even during the course of investigation, none
of the witnesses has said that the petitioner was ever seen with the

deceased.

Of course, the witnesses have only suspected the hands of the petitioner in the killing of the deceased in pursuance of the conspiracy but the petitioner has got criminal antecedents, therefore, I am not inclined to enlarge the petitioner on anticipatory bail in Gopalpur P.S. Case No. 289 of 2015. Accordingly, the same is rejected.

If the petitioner surrenders in the court below, the court below shall consider the prayer for regular bail of the petitioner taking into consideration that on same and similar allegation one of the co-accused, namely, Govind Yadav has been enlarged on regular bail by this Court and dispose of the bail petition preferably on the same day.

(Prabhat Kumar Jha, J)

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