

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45109 of 2015

Arising Out of PS.Case No. -300 Year- 2015 Thana -MADHEPURA District- MADHEPURA

- =====
1. Brahmadeo Yadav, Son of Khakhan Yadav, resident of Village- Araen Bishanpur, Police Station- Bihara, District- Saharsa.
2. Pawan Yadav alias Gyandeo Yadav, son of Brahamdeo Yadav Both resident of Village- Aran Bishanpur, Police Station- Bihara, District- Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.51341 of 2015

Arising Out of PS.Case No. -null Year- null Thana -null District- MADHEPURA

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Rajesh Yadav son of Harinandan Yadav, resident of village- Ghoshpur, Gorhari, P.S.- Salkhua, District- Saharsa

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.45109 of 2015)

For the Petitioner/s : Mr. Uday Chand Prasad

For the Opposite Party/s : Mr. Parmeshwar Mehta(App)

(In Cr.Misc. No.51341 of 2015)

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Rana Randhir Singh(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 22-01-2016 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in connection with Madhepura P.S. Case No. 300 of 2015 registered for the offences punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

Earlier case diary of the present case was called for, which has since been received.

Learned counsel for the petitioners submits that there is general and omnibus allegation against these petitioners of having fired, leading to the death of the deceased. It is further submitted that save and except such allegation, there is no material in the case diary to implicate the petitioners.

Learned counsel for the State after perusal of the case diary submits that there is material in the case diary to indicate that these petitioners having armed with came at the place of occurrence with a clear intention to kill the deceased. It is further submitted that several independent witnesses have also stated that three persons had seen the petitioners, fleeing from the place of occurrence and thereafter, the deceased was taken to the hospital.

Considering the aforesaid facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioners. It is accordingly, rejected.

(Anjana Mishra, J)

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