

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.30673 of 2016**

Arising Out of PS.Case No. -65 Year- 2015 Thana -BITHAN BAZAR District- SAMASTIPUR

=====

1. Kameshwar Yadav Son of Late Sukhdeo Yadav resident of Village-  
Chhechhni, P.S. - Bithan, District-Samastipur

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Gajendra Prasad Yadav

For the Opposite Party/s Smt Pushpa Sinha

=====

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR**  
**SRIVASTAVA**  
**ORAL ORDER**

03/ 18.11.2016 Heard learned counsel for the petitioner as well as learned

Addl. Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with Bithan P.  
S. case no. 65/2015 registered under section 302/34 of the Indian  
Penal Code and section 27 of the Arms Act.

Petitioner is not only order giver but according to the  
fardbeyan of the informant he, too, fired on the deceased.

Learned counsel for the petitioner submits that  
Superintendent of Police, Samastipur in his supervision note has  
observed that the petitioner has falsely been implicated but, in my  
view, supervision note is nothing but opinion of the police officer and  
if the police is of the view that the petitioner has falsely been  
implicated, then police may drop the case against him. Therefore, in  
the aforesaid circumstance, petitioner does not have any apprehension  
of his arrest.

Regard being had to the facts and circumstances as well as submissions of the parties, I am not inclined to extend the privilege of anticipatory bail to the petitioner and accordingly, his prayer for anticipatory bail in connection with the above stated case stands rejected.

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(Hemant Kumar Srivastava,J)

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