

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 40597 of 2016

Arising Out of PS.Case No. -74 Year- 2016 Thana -BUXAR District- BUXAR

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Anil Yadav son of Nathuni Yadav resident of Village- Budhanpurawa
Police Station Buxar (Nagar) District- Buxar (Bihar).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Roy

For the Opposite Party/s : Mr. Rajendra Singh Shastriji

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 17-10-2016 Heard Sri Anil Kumar Roy, learned counsel for the
petitioner and learned Addl. Public Prosecutor.

The sole petitioner, who is in custody since
22-03-2016, has prayed for grant of bail in Buxar (T) P.S. Case
No. 74 of 2016 registered for offence under Sections 341, 147,
148, 149, 302, 326 & 120(B) of the Indian Penal Code and Section
27 of the Arms Act, 1959.

Learned counsel for the petitioner has made a prayer
for grant of bail mainly on the ground that other two accused
persons, against whom there was an accusation that they were
holding hand and hair of the deceased, have already been granted
bail by a Bench of this Court. He further submits that even one of
the co-accused, against whom there is criminal antecedent, has

also been granted bail.

Learned Addl. Public Prosecutor opposes the prayer for grant of bail.

Besides hearing, I have also perused the materials on record, particularly; antecedent, which has been referred in paragraph – 3 of the petition. On going through the statement made in paragraph – 3 of the petition, it is evident that petitioner is accused in number of cases relating to serious offences. Moreover, on perusal of the F.I.R., it is evident that the occurrence has not taken place in a spur of moment, but in a well-planned manner, the accused persons arrived at the place of occurrence and killed the brother of the informant.

Keeping in view the antecedent of the petitioner as well as allegation made in the F.I.R., I do not find any ground to extend the privilege of bail.

Dismissed.

(Rakesh Kumar, J.)

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