

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17477 of 2016

Arising Out of PS.Case No. -274 Year- 2015 Thana -KOTWALI District- MUNGER

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Ranjit Yadav Son of Chotan Yadav, resident of village- Shyampur, P.S.-
Kotwali, District- Munger

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bindhyakeshri Kumar, Sr. Advocate.

For the Opposite Party : Mr. Mustaque Alam(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 20-09-2016 Heard Mr. Bindhyakeshri Kumar, learned senior

counsel for the petitioner and nobody appears on behalf of the

State.

The petitioner apprehends his arrest in Kotwali P.S.

Case No. 274 of 2015 registered for the offences punishable under

Sections 302 and 34 of the Indian Penal Code and under Section

27 of the Arms Act.

The informant alleged that his son Manoj Kumar Razak

as usual went to take milk at some distance from his house where

some unknown persons made firing causing death of his son.

Mr. Bindhyakeshri Kumar, learned senior counsel for

the petitioner submits that the petitioner is not named in the FIR.

Name of the petitioner figured in the case in the confessional



statement of Ujjwal Mandal. Similarly situated co-accused Tarjan Mandal has already been enlarged on anticipatory bail vide order passed in Cr. Misc. No. 7146 of 2016 on 28.03.2016 but it appears from the perusal of the case diary that the deceased had to depose in Basudeopur P.S. Case No. 214 of 2014 and the accused persons of the aforesaid case threatened him not to depose in that case but the deceased deposed and immediately thereafter he was killed. It has been submitted that the petitioner is not accused in Basudeopur P.S. Case No. 214 of 2014 but it has come in para-29 of the case diary that the mobile of the petitioner was used and the petitioner threatened the deceased of dire consequences. It also appears that the petitioner has got criminal antecedent and he is accused in as many as seven criminal cases.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

However, the petitioner, if so advised, may surrender before the court below within four weeks from the date of receipt/production of a copy of this order and pray for regular bail, his prayer shall be considered on its own merit without being prejudiced by this order and taking into consideration that the co-accused has already been granted bail and if the case of the

petitioner stands on the same footing bail of the petitioner may
also be considered and dispose of preferably on the same day.

(Prabhat Kumar Jha, J.)

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