

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16784 of 2017

Arising Out of PS.Case No. -16 Year- 2017 Thana -SHEKHPURA District- SEKHPURA

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Balmukund Yadav @ Ravikant S/o Banarsi Prasad Yadav, Resident of
Village- Kare, P.S.- Sheikhapura, District- Sheikhapura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. B. K. Sinha, Sr. Advocate
Mr. Raj Kishore Prasad, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 17-04-2017 This is an application for grant of anticipatory bail
for offences punishable under Sections 302/34 of the Indian Penal
Code and 27 of the Arms Act.

Allegation is that petitioner is named in the F.I.R. As
per F.I.R., petitioner was also present at the place of occurrence.
F.I.R. also disclosed that the deceased had called the police and by
the time the police reached there, he was lying outside the house
and he has disclosed the police that three other co-accused have
fired at him on the order of the petitioner.

Heard learned counsel for the petitioner.

It has been submitted on behalf of the petitioner that
at the time of occurrence he was admitted at Sadar Hospital,
Sahebganj, for treatment of his acute chest pain. The wife of



petitioner have written a letter praying therein to the Director General of Police, Bihar, Patna, for enquiring about the false implication of his husband and due to political rivalry he has been made accused in the present case.

Heard learned A.P.P. also.

Having heard both sides, in view of the allegation as discussed above and criminal antecedents of the petitioner which have been mentioned in para-3 of the petition, I am not inclined to grant anticipatory bail to the petitioner, the same is rejected.

However, petitioner may surrender in the court below, i.e., learned C.J.M., Sheikhpura, in connection with Sheikhpura P. S. Case no. 16 of 2017 and make prayer for regular bail which will be considered on its own merit without being prejudiced by the order of this Court.

(Vinod Kumar Sinha, J)

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