

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5295 of 2017

Arising Out of PS.Case No. -162 Year- 2015 Thana -MAKHDUMPUR District- JEHANABAD

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1. Arvind Yadav, S/o Dinesh Yadav, R/o Village Makarpur, P.S.-
Makhdumpur, District- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharendra Kumar Sinha

For the Opposite Party/s : Mr. Sri Ram Sumiran Roy

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-02-2017 The petitioner is apprehending his arrest in connection with Makhdumpur P.S. Case No. 162 of 2015, registered for offences punishable under Sections 147, 148, 149, 341, 342, 323 and 302 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that at the time of alleged occurrence, there was no source of light, as it is highly improbable that how the petitioner was identified. It has further been submitted that the deceased had illicit relationship with the wife of one Subodh and on being caught, he was beaten by some other persons and he died thereafter. It has also been submitted that there is no specific allegation against the petitioner that on what part of the body the petitioner assaulted the deceased with lathi leading to death of the deceased. Further the petitioner



has no criminal antecedent.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case, nature of offence and also that several witnesses during the course of investigation has supported the case of the prosecution, I am not inclined to grant the petitioner, the privilege of anticipatory bail, it is accordingly rejected.

Let petitioner surrenders before the Court below and make prayer for regular bail, which will be considered by the Court below on the merit of the case, without being prejudiced by the order of this Court.

With the above observation, this application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

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