

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2210 of 2017

Arising Out of PS.Case No. -164 Year- 2016 Thana -SONO District- JAMUI

=====

Arun Ranjan @ Arun Yadav, Son of Shri Prabhu Yadav, Resident of
Village- Baribag, P.S.- Khaira, District- Jamui. Petitioner

Versus

The State of Bihar. Opposite Party

=====

Appearance :

For the Petitioner : Mr. Rajesh Ranjan

For the Opposite Party : Mr. Sri Dashrath Mehta

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

4 21-02-2017 Supplementary affidavit has been filed on behalf of the

petitioner, let it be kept on record.

Heard learned counsel for the petitioner, learned
counsel for the informant and also learned counsel representing
the State.

The petitioner apprehends his arrest in connection
with Sono (Charka Patthar) P.S. Case No. 164 of 2016, registered
for the offences punishable under Sections 302, 34 of the Indian
Penal Code and Section 27 of the Arms Act and under Sections
16, 17, 18, 19, 20, 21 and 22 of the Unlawful Activities
(Prevention) Act, 1976.

Allegedly, Kunal Yadav the brother-in-law of the
informant was shot dead at Charaiya Dam and on inquiry it
transpires that yesterday at about 4 P.M. the petitioner and other
co-accused have taken away the deceased by motorcycle.

Submission is of false implication and that besides
suspicion there is nothing against the petitioner. During



investigation no tangible material has come against the petitioner. There is no eye-witness of the occurrence and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes the prayer of pre-arrest bail by submitting that mobile location of the petitioner and deceased were at the same place and further in para 115 of the case diary, witness Jogi Yadav has stated that the petitioner snatched mobile of the deceased and further the deceased went with the petitioner on motorcycle thereafter his dead body was found. In para 116 of the case diary also Praveen Yadav has similarly stated and further in para 121 of the case diary, Bhairav Yadav has stated the name of the petitioner also.

In the facts and circumstances as stated above, considering that during investigation sufficient materials have come against the petitioner and, as such, I am not inclined to grant privilege of pre-arrest bail to him and accordingly his such prayer stands rejected in connection with Sono (Charka Patthar) P.S. Case No. 164 of 2016, pending in the Court of learned Additional Chief Judicial Magistrate-1st, Jamui.

(Jitendra Mohan Sharma, J.)

Rajiv/-

U		T	
---	--	---	--

