

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.10272 of 2017**

Arising Out of PS.Case No. -51 Year- 2015 Thana -AJIMABAD District- BHOJPUR

- =====
1. Jai Kumar Yadav @ Jai Kumar Singh Son of Shivdeep Yadav
  2. Nandu Yadav @ Nandu Singh @ Nandji Singh, son of Shivdeep Yadav.  
All resident of Village- Kheri, P.S. Narainpur, District- Bhojpur at Ara  
(Bihar).

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Tapeswar Sharma

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN  
SHARMA**  
ORAL ORDER

3      06-07-2017                      Heard the learned counsel for the petitioners as well  
as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Azimabad P.S. Case No. 51 of 2015 for the offences punishable under sections 302, 364 and 34 of the I.P.C.

Allegedly, the petitioners and other co-accused named in the FIR along with some unknown started assaulting the father of the informant with lathi, danda, brick and stone. The informant fled away and they killed the father and made the dead body traceless.

Submission is of false implication and that the



petitioners have been implicated with oblique motive, the manner of occurrence as alleged appears not true, there is general and omnibus allegation against all the accused persons to assault by lathi and bricks, other similarly situated co-accused have been allowed bail and as such the petitioners also deserve sympathetic consideration.

The learned A.P.P. fairly submits that other co-accused have been allowed bail.

In the facts and circumstances as stated above, considering that the petitioners are named in the FIR and as such I am not inclined to grant privilege of pre-arrest bail to them and accordingly their such prayer stands rejected in connection with the aforementioned case pending in the court of C.J.M. Bhojpur at Ara.

However, if the petitioners surrender and seek regular bail then their prayer for regular bail shall be considered on its own merit considering that other co-accused have been allowed bail, preferably on the same day, without being prejudiced by the order of this Court.

**(Jitendra Mohan Sharma, J)**

Abhay/-

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