

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22541 of 2017

Arising Out of PS.Case No. -629 Year- 2016 Thana -KHAGARIA District- KHAGARIA

- =====
1. Yashwant Kumar
 2. Yognesh Kumar Both sons of Yogendra Singh Resident of Village -
Khargi Tirasi, Police Station - Khagaria (Gangaur), District - Khagaria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Paras Nath

For the Opposite Party/s : Smt. Nirmala Kumari

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

3 07-07-2017 Heard the learned counsel for the petitioners, the

learned A.P.P. for the State as also the learned counsel for the

Informant.

In this application for anticipatory bail the petitioners
apprehend their arrest in connection with Khagaria (Gangaur) P.S.
Case No. 629 of 2016 for the offences punishable under section
302/34 of the I.P.C and section 27 of the Arms Act.

Allegedly, the petitioners pulled down Mahesh Singh,
the husband of the informant, from the tractor and then Yogendra
Singh shot him in his back. The petitioner Yashwant Kumar also
fired and assaulted with feet and fat and the petitioner Yognesh
Kumar was making firing in the air and thereafter they fled away.



The husband of the informant died.

Submission is of false implication and that there is no specific allegation against the petitioners, specific allegation is against Yogendra Singh, the petitioners are not the assailants, they have been falsely implicated and as such they deserve sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for pre-arrest bail of the petitioners by submitting that against the petitioners also there is allegation for pulling down the deceased from the tractor and further they have also opened fire.

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

Abhay/-

(Jitendra Mohan Sharma, J)

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