

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1603 of 2017

Arising Out of PS.Case No. -92 Year- 2016 Thana -RAJPUR District- BUXAR

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1. Markandey Yadav Son of Sudama Singh
2. Vikash Yadav Son of Ram Pravesh Yadav
3. Binod Yadav Son of Shiv Murat Yadav, All resident of Village- Sarenja,
P.S. Rajpur, District- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manendra Kumar Sinha

For the Opposite Party/s : Mr. Anand Kishore Choudhary

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 15-02-2017 Heard both sides.

The petitioners, Markandey Yadav, Vikash Yadav, Binod Yadav, apprehend their arrest in Rajpur P.S. case No. 92 of 2016 under Section 307 and other Sections of the Indian Penal Code and under Section 27 of the Arms Act.

Shri Pramod Kumar Singh, the learned counsel for the petitioners, submits that prayer for anticipatory bail of the petitioners was rejected vide order dated 24.11.2006 passed in Cr. Misc. No. 43902 of 2016 but the petitioners again filed this anticipatory bail petition only because similarly situated accused, namely, Kalika Yadav, Umesh Yadav and Satyendra Yadav @ Satyendra Kumar Singh have already been granted anticipatory



bail by different coordinate bench of this court vide orders passed in Cr. Misc. Nos. 44187 of 2016, 43451 of 2016 and Cr. Misc. No. 53961 of 2016 respectively. The case of the petitioners stands on the same footing as that of other accused persons.

Considering the facts aforesaid and the fact that I have already rejected the prayer of petitioners for anticipatory bail, I am not persuaded to take a different view. Accordingly, the anticipatory bail petition is rejected.

However, if the petitioners surrender in the court below, i.e., the learned Additional Chief Judicial Magistrate-VII, Buxar in Rajpur P.S. case No. 92 of 2016, the learned court below shall consider the prayer for regular bail of the petitioners taking into consideration that similarly situated accused, Kalika Yadav, Umesh Yadav and Satyendra Yadav have already been granted anticipatory bail and dispose of the bail petition of the petitioners, preferably, on the same day.

(Prabhat Kumar Jha, J)

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