

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.55143 of 2016**

Arising Out of PS.Case No. -193 Year- 2016 Thana -GOPALPUR District- BHAGALPUR

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1. Akhilesh Yadav, Son of Late Satu Yadav,  
2. Mithun Yadav @ Mithun Kumar Yadav, Son of Akhilesh Yadav, Both  
resident of Village- Tintanga Kawari, P.S.- Gopalpur, District- Bhagalpur.

.... .... Petitioner/s

Versus

1. The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Shiwesh Chandra Mishra, Adv.

For the Opposite Party/s : Mr. Sri Lalan Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      13-01-2017                      Heard learned counsel for the petitioners and learned  
Additional Public Prosecutor for the State.

Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 364 and 34 of the Indian Penal Code in connection with Gopalpur P.S. Case No. 193/2016.

It has been submitted on behalf of the petitioners that in the FIR seven persons have been named and later on four persons have also been made accused in the case. However, there is no eye-witness of the occurrence but it is alleged that the petitioners along with others had taken the victim boy and apart from that there is no allegation against the petitioners. It has also been submitted that as Petitioner no. 1 was Mukhiya and Petitioner



no. 2 is son of Petitioner no. 1, they have been made accused in this case due to village politics.

Heard learned Additional Public Prosecutor also.

Having heard both sides, in view of the fact that there is serious allegation against the petitioners and there are materials collected during course of investigation against the petitioners, I am not inclined to enlarge the petitioners, above named, on anticipatory bail in connection with Gopalpur P.S. Case No. 193/2016. Accordingly, the same is rejected.

Petitioners may surrender before the court below and pray for regular bail, which shall be considered on its own merit without being prejudiced by this order.

**(Vinod Kumar Sinha, J.)**

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