

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15584 of 2017

Arising Out of PS.Case No. -220 Year- 2016 Thana -ATRI District- GAYA

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Mahesh Yadav, Son of Sarju Yadav @ Sarardu Yadav, Resident of Village-
Pahadi, P.S.- Fatehpur, District- Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Prithivi Raj Singh, Advocate.

For the Opposite Party : Mr. R.P.S. Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 04-05-2017 Heard both sides.

The petitioner apprehends his arrest in Atri P.S. Case No. 220 of 2016, registered for the offences punishable under Sections 302 and 34 of the Indian Penal Code.

The informant alleged that Devendra Yadav took his brother Lallan Sao but his brother did not return. The wife of Lallan Sao enquired from Devendra Yadav but he did not give any explanation. On the next day the dead body of Lallan Sao was found. The informant suspected that Devendra Yadav, Mahesh Yadav and Chhotu Yadav have killed his brother.

Learned counsel for the petitioner submits that during course of investigation, it has come that Devendra Yadav was taking wine along with Mahesh Yadav and Chhotu Yadav but Lallan Sao was not there. There is no material against the



petitioner that the petitioner committed murder of Lallan Sao but, it appears from perusal of the case diary that the informant in the FIR, itself, suspected that the petitioner along with Chhotu Yadav and Devendra Yadav killed his brother only because his brother demanded money from Devendra Yadav. During course of investigation, it has come that Mahesh Yadav, Chhotu Yadav and Devendra Yadav were found taking wine.

Considering the nature of allegations made against the petitioner, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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