

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.8601 of 2017

Arising Out of PS.Case No. -176 Year- 2015 Thana -JHAJHA District- JAMUI

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Sanjay Yadav Son of Juri Yadav, Resident of Village- Dhapri, P.S. Jhajha,
District Jamui. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Smt. Anusuiya Jaiswal, A.P.P.

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

ORAL ORDER

3 21-03-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner, apprehending his arrest in connection
with Jhajha P.S. Case No. 176 of 2015 registered for the offences
punishable under Sections 341, 323, 379, 384, 307, 504 and
506/34 of the Indian Penal Code and Section 27 of the Arms Act,
seeks the privilege of pre-arrest bail.

Allegedly, due to non payment of ransom Pramod
Paswan and Pramod Yadav along with one person shot Uday
Kumar Yadav which hit on his leg, thereafter, miscreants were
trying to flee away but Pramod Paswan and Pramod Yadav fell
down and then they fled away after leaving the motorcycle.
During investigation, the name of the petitioner transpires also in
the re-statement of the informant and further in the statement of
eye witness namely Pravin Kumar Yadav and injured Uday Kumar



Yadav.

Submission is of false implication that the petitioner is not named in the First Information Report. Subsequently, his name has been added in this case with oblique motive. The petitioner was not involved in the said incident and only due to he being agnate and land dispute he has been implicated.

The learned A.P.P. opposes the prayer of pre-arrest bail by submitting that eye witness Pravin Kumar Yadav and injured Uday Kumar Yadav have also stated the name of the petitioner that he was also involved in the crime and all the three are of criminal nature.

In the facts and circumstances as stated above, considering that the injured and eye witness Pravin Kumar Yadav both have stated the name of the petitioner and, as such, I am not inclined to grant the privilege of pre-arrest bail to the petitioner, accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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