

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32256 of 2017

Arising Out of PS.Case No. -157 Year- 2016 Thana -GOGRI District- KHAGARIA

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Sanjay Yadav, Son of Raghunandan Yadav @ Raghunand Yadav, Resident
of Village- Amni, P.S.- Mansi, District- Khagaria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Subodh Kumar Jha, Advocate
Mr. Roshan Kumar Mishra, Advocate
For the Opposite Party : Mr. Sri Dinesh Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 21-08-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner apprehends his arrest in connection
with Gogri P.S. Case No. 157 of 2016, registered for the offences
punishable under Section 302/34 of the Indian Penal Code and
Section 27 of Arms Act.

Allegation against the petitioner is also to have fired
upon the deceased.

Submission is of false implication and that only two
injuries have been found on the person of the deceased, against the
petitioner there is general and omnibus allegation, specific
allegation is against Sarjan Yadav and Bucho Yadav, other co-
accused have been granted regular bail and, as such, the petitioner



also deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail by submitting that petitioner has also opened fire.

In the facts and circumstances as stated above, I am not inclined to grant privilege of pre-arrest bail to him and accordingly his such prayer stands rejected in connection with Gogri P.S. Case No. 157 of 2016, pending in the Court of Sri Brajesh Kumar, learned Judicial Magistrate, Khagaria.

However, in case and if so advised the petitioner surrenders and seeks regular bail then his prayer for regular bail shall be considered on its own merits without being prejudiced by the order of this Court.

(Jitendra Mohan Sharma, J.)

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