

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46841 of 2016

Arising Out of PS.Case No. -49 Year- 2016 Thana -DHARHARA District- MUNGER

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Sanjay Yadav, son of Saryug Yadav, Resident of Village- Rampur Basti,
P.S.- Jamalpur, District- Munger.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dharendra Nath Jha, Advocate.

For the Opposite Party : Mr. Md. Nazir Ansari, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 09-01-2017 Heard both sides.

The petitioner apprehends his arrest in Dharhara P.S.
Case No. 49 of 2016, registered for the offences punishable under
Sections 302, 120(B) and 34 of the Indian Penal Code and Section
27 of the Arms Act.

The informant, mother of the deceased, alleged that her
son had got enmity with Sanjay Yadav and other accused persons.
The son of the informant was convicted in a case of firing against
Sanjay Yadav and he was released on bail. Sanjay Yadav and
other accused persons were running after the life of son of the
informant and they killed her son.

Learned counsel for the petitioner submits that the
deceased, himself, was a veteran criminal and he was convicted
for life imprisonment in a case of kidnapping for ransom. The
deceased was also convicted in a case registered under Section



307 and other Sections of the Indian Penal Code in which Sanjay Yadav, the petitioner was the informant and an attempt was made to kill Sanjay Yadav in the aforesaid case also. The deceased was convicted and he was released on bail. Save and except suspicion there is no material against the petitioner, but it appears that there is strong suspicion against the petitioner as the petitioner was on inimical term with one Hira Sinha who disclosed that the petitioner and others killed Sonu Ram.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

The petitioner, if so advised, may surrender before the court below within four weeks from the date of receipt/production of a copy of this order and pray for regular bail, his prayer shall be considered on its own merit without being prejudiced by this order and taking into consideration that similarly situated accused persons namely Rohit Singh and Rajeev Yadav have already been enlarged on regular bail and disposed of the bail petition preferably on the same day.

(Prabhat Kumar Jha, J.)

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