

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39528 of 2017

Arising Out of P.S.Case No. -87 Year- 2017 Thana -SUPAUL District- SUPAUL

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Vivek Yadav Son of Vijay Kumar @ Vijay Yadav Resident of Mohalla
Ward No. 9 Supaul, P.S. +District- Supaul.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Parmod Kumar, Advocate

For the Opposite Party : Mr. Ramchandra Sahani, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 22-08-2017

Heard.

2. The petitioner apprehends arrest in connection with Supaul P.S.Case No.87 of 2017/G.R.311 of 2017 pending in the Court of CJM, Supaul registered for an offence under Sections 147, 148, 149, 452, 447, 398 and 504 of the IPC and Section 27 of the Arms Act.

3. The allegation against this petitioner is that he along with four named and 20-25 unknown armed with pistol and rifle went at the house of the informant and started breaking the grill of the house. The informant raised alarm whereupon a large number of people assembled within few minutes and thereafter all the accused started firing in air and escaped from the place of occurrence. The informant and villagers identified the petitioner



and other three persons.

4. Learned counsel for the petitioner submits that the allegation of committing dacoity is not specific against the petitioner. The petitioner is the resident of same locality and has been named on account of enmity. The case has been compromised and so he deserves anticipatory bail.

5. On perusal of FIR, I find that the occurrence of committing dacoity took place in the midnight on 13.02.2017. On the alarm of the informant a large number of villagers assembled and they all identified this petitioner. The FIR was lodged under the signature of as many as 23 villagers immediately after the occurrence. It has been specifically alleged that the accused persons visited with intention to commit dacoity and loot pat.

6. Besides that he is accused in Supaul P.S. Case No.95 of 2015. Considering the specific allegation against the petitioner as well as antecedent, his prayer of anticipatory bail is rejected.

(Sanjay Kumar, J)

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