

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.254 of 2017

Arising Out of PS.Case No. -293 Year- 2013 Thana -KUCHAIKOTE District- GOPALGANJ

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1. Majister Yadav @ Majister Kumar Yadav Son of Shiv Balak Yadav
Resident of Village-Maniyara, Police Station-Kuchaikote, District-
Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Javed Aslam

For the Opposite Party/s : Mr. Sri Bal Mukund Prasad Sinha

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 18-03-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Kuchaikote Police Station Case No. 293 of 2013/ G.R.
No. 3645 of 2013 disclosing offences under Sections 341, 354,
B/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
the petitioner has falsely been implicated in this case. In fact,
there was a communal riot between Hindu and for that a
Kuchaikote P.S. Case No. 289 of 2013 was registered by
Muslim community. Initially, the petitioner, Magister Kumar
Yadav son of Harishanker Yadav, who is said to have been died
was named in the F.I.R. but subsequently during course of



investigation, the informant has implicated this petitioner by changing his father's name. The manner of accusation itself falsify the prosecution story. No case of any over act is made out against this petitioner, who is of clean antecedent. Hence, the petitioner deserves the privilege of anticipatory bail.

Learned A.P.P. has submitted that the petitioner is named in this F.I.R. and he has committed over act with a minor girl.

Considering the facts and circumstances of the case, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail of this petitioner is rejected.

(Arvind Srivastava, J)

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