

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32610 of 2017

Arising Out of PS.Case No. -105 Year- 2016 Thana -BIHPUR District- BHAGALPUR

- =====
1. Kanhaiya Yadav @ Raman Kumar,
 2. Manikant Yadav, Both are Son of Kamli Yadav,
 3. Suman Yadav, Son of Subhash Yadav,
 4. Jai Chand Yadav, Son of Radhe Yadav, All are Resident of Village-Salarpur, P.S.- Parbatta, District- Khagaria.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Nagendra Kumar Singh

For the Opposite Party/s : Mr. Umesh Lal Verma

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 10-08-2017 Heard leaned counsel for the petitioners and the leaned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Bihpur P.S. Case No. 105 of 2016, registered under Sections 147, 148, 149 and 302 of the Indian Penal Code and Section 27 of the Arms Act, pending in the court of the A.C.J.M-II, Naugachhia, Bhagalpur.

The accusation is that six persons named in the F.I.R., including the petitioners, along with 2-3 unknown persons variously armed with weapons came to the informant and asked whereabouts of his father then he replied that his father is not present here. At that time, Lutan Yadav along with 4-5 persons



fired at Kuldeep Yadav @ Fulo, brother of the informant, who died on the spot. The cause of occurrence is said to be land dispute between the parties.

Learned counsel for the petitioner submits that petitioners belongs to village Salarpur, P.S. Parbatta, District-Khagaria as such allegation of reaching the petitioners at Bhagalpur to commit the alleged occurrence appears to be unreasonable.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioners, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, their prayer for grant of anticipatory bail stands rejected. The petitioners are directed to surrender before the trial Court within four weeks and pray for regular bail, which would be considered by the trial Court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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