

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39583 of 2018

Arising Out of PS.Case No. -90 Year- 2018 Thana -JAGDISHPUR District- BHAGALPUR

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1. Lallan Yadav @ Lattu Yadav @ Lallan Kumar @ Lattan Yadav son of
Sri Bhumi Yadav resident of Village - Chakfatma, P.S. Jagdishpur and
District Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhola Kumar

For the Opposite Party/s : Mr. Amit Kumar Rakesh-APP 17

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 09-07-2018

Heard both sides.

The petitioner apprehends his arrest in Jagdishpur
P.S. case No. 90 of 2018 for the offences punishable under Section
147, 148, 149, 353, 307 of the Indian Penal Code and under
Section 27 of the Arms Act.

The S.H.O of Jagdishpur P.S. alleged in his written
statement that he got information that Satyendra Yadav and others,
accused of Jagdishpur P.S. case No. 222 of 2016, registered under
Section 302 and other Sections of the IPC and under Section 27 of
Arms Act, had come in Chakfatpa Bahiyar along with his
accomplices. The informant and other police officials went there
to arrest Satyendra Yadav but Satyendra Yadav, Lallan Yadav



and others, including the petitioner, started indiscriminate firing aiming at the police officials.

The learned counsel for the petitioner submits that petitioner is not related with Satyendra Yadav and he is villager of Satyendra Yadav. The police had come to encounter Satyendra Yadav but villagers made protest that is why the petitioner and others have falsely been implicated in the case but it appears from perusal of the FIR itself that Satyendra Yadav and his accomplices, including the petitioner, after seeing the police made indiscriminate firing and from the place of occurrence many empty cartridges were recovered.

Taking into consideration the nature of allegation made against the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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