

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65873 of 2018

Arising Out of PS. Case No.-72 Year-2011 Thana- DUMARIYA District- Gaya

Vijay Yadav @ Vijay Yadav Jee son of Bishu Yadav, resident of village
Khardag, P.S. Dumariya, District Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh
For the Opposite Party/s : Mr. Mukeshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 31-10-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in connection with Dumariya P.S. case No.72 of 2011 registered under Sections 147, 148, 149, 341, 427, 307, 506, 504 of the Indian Penal Code and 27 of the Arms Act, pending in the court of S.D.J.M., Sherghati (Gaya).

The prosecution case, in short, is that on 04.12.2011 during Cobra operation there was firing and counter firing among police party and extremists and several empty cartridges were recovered and the petitioner was also involved in the occurrence.

It has been submitted on behalf of the petitioner that the there is no allegation of tampering of witnesses alleged



against the petitioner. The petitioner has falsely been implicated in the present case. In course of occurrence, the accused persons are alleged to have taken the name of this petitioner and others. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case. None claims to have identified the petitioner at the time of occurrence. No specific overt act is alleged against the petitioner nor any specific injury is attributed against the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. There are six criminal cases pending against him.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected.

If the petitioner surrenders before the court below and prays for regular bail, same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

Narendra/-

U		T	
---	--	---	--

