

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34170 of 2018

Arising Out of PS.Case No. -379 Year- 2017 Thana -SAHEBPUR KAMAL District- BEGUSARAI

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1. Mukesh Yadav S/o Batoran Yadav, R/o Vill.- Hira Tola, P.S.- Sahebpur
Kamal , District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nakul Kumar Jamuar

For the Informant : Mr. Vinod Kumar

For the Opposite Party/s : Mr. Sri Rajendra Nath Jha

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 02-07-2018

Heard both sides.

The petitioner apprehends his arrest in Sahebpur
Kamal P.S. case No. 379/2017, for the offences punishable under
Sections 307, 329, 380 and other minor sections of the Indian
Penal Code and under section 27 of the Arms Act.

The informant named the petitioner and alleged that
on 01.12.2017, Raushan Kumar, son of Mahendra Yadav, dashed
his Motorcycle in the wall of the informant and Motorcycle was
damaged. Thereafter, on 03.12.2017, five persons including the
petitioner, having armed with different weapons, forcibly entered
into the house of the informant in broad daylight and demanded
money for repairing of the motorcycle. When the informant



refused, the accused persons made indiscriminate firing. The firing made by Ajeet Yadav hit Ruby Devi and a child sitting in her lap.

The learned counsel for the petitioner submits that there is no specific allegation against the petitioner. The petitioner is a member of mob.

On the other hand, the learned counsel for the informant vehemently opposed the prayer for anticipatory bail and submitted that the accused persons made indiscriminate firing. Of course, the firing made by Ajeet Yadav hit Ruby Devi and child sitting in her lap but all the accused persons took away different articles from the house of the informant and there is allegation that all made firing.

Having considered the facts and nature of allegation made against the petitioner that all the accused persons having armed with different weapons entered into the house of the informant in broad daylight and made indiscriminate firing in which two persons have been injured and the accused persons also took away different article from the house, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

BKS/Rajan

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