

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33292 of 2018

Arising Out of PS.Case No. -601 Year- 2017 Thana -GOPALGANJ TOWN District- GOPALGANJ

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Bhikhu Yadav, S/o Late Lal Bahadur Yadav, R/o Village-Kukurbhukka,
P.S. - Gopalganj, District - Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ratnakar Pandey, Advocate

For the Opposite Party/ : Mr. Panchanand Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 18-06-2018

Heard learned counsel for the petitioner and learned

APP for the State as well as counsel for the informant.

Petitioner apprehends his arrest in **Gopalganj P.S.**

Case No.601 of 2017 instituted for the offence under Section(s)

147, 148, 149, 302, 379, 427, 452, 504, 506 Indian Penal Code

and Section 27 of the Arms Act pending in the Court of the **Chief**

Judicial Magistrate, Gopalganj.

In the written report, there is specific allegation that this petitioner and Anandi Pandey fired with rifle causing injury on the chest of husband of the informant on account of which he died.

Counsel for the informant has submitted that there is specific allegation against the petitioner of causing fire arm injury on the husband of the informant along with co-accused



Anandi Pandey.

Counsel for the petitioner submits that there is allegation of firing against two persons, but there is only one firm arm injury.

The Additional Sessions Judge has mentioned in the impugned order that in para 114 of the case diary there is post mortem report of the deceased in which cause of death is mentioned as hemorrhage and shock due to fire arm injury.

In such circumstances, this Court does not find it a fit case for grant of anticipatory bail.

Prayer of the petitioner for grant of anticipatory bail is **rejected**.

Petitioner may surrender before the Court below and seek regular bail, which shall be considered and disposed off in accordance with law without being prejudiced by this order.

(Sanjay Priya, J)

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