

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74632 of 2018

Arising Out of PS. Case No.-208 Year-2017 Thana- PARASBIGHA District- Jehanabad

Ratu Yadav @ Rampravesh Singh, S/o Bihari Singh, Resident of Village Kumdiha, P.S. Kako, District Jehanabad.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Surendra Kumar Mishra, Advocate.
For the State	:	Sri Madhuranand Jha, APP.
For the Informant	:	Mr. Nitesh Kumar, Advocate.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 20-12-2018 Heard both sides.

Petitioner apprehends his arrest in Parasbigha P.S. Case No.208 of 2017, registered under Sections 302, 307 and other minor sections of the Indian Penal Code and under Section 27 of the Arms Act.

The informant named the petitioner along with 24 other accused persons and 20-25 unknown persons and alleged that they having armed with different weapons came at the house of the informant at 12.00 in the night. It is further alleged that Lali Yadav, Akhilesh Yadav, Makram Yadav, Satish Kumar, Manish Kumar, Shailesh Kumar and many others including the petitioner, Gohman Yadav @ Akhilesh Yadav was armed with double barrel gun, Manish Kumar, Satish Kumar, Madhir



Kumar @ Jahnu and Mahesh Yadav were armed with pistol, Lal Yadav @ Makram Yadav was armed with iron rod, others were also armed with iron rod and they started assaulting the informant and others. The accused persons brutally assaulted all the five brothers of the informant and fled away after firing.

Learned counsel for the petitioner submits that petitioner is of course named in the FIR but no specific allegation of assault is made against the petitioner. Petitioner is not alleged to have armed with any weapon. Even the family of Lali Yadav have been made accused and they have been granted anticipatory bail vide order passed in Cr. Misc. No.25901 of 2018 and Cr. Misc. No.60704 of 2018. The case of the petitioner stands on the same footing.

Learned counsel for the informant and the learned Additional Public Prosecutor while opposing the prayer for anticipatory bail submits that the petitioner was active member of the mob and petitioner and others came to the house of the informant made indiscriminate firing killing three brothers of the informant on the spot.

Considering the facts and nature of allegations made against the petitioner and it appears that the petitioner is an active member of the murderous mob who made indiscriminate



firing in which three persons were killed and only female accused have been granted anticipatory bail, I am not inclined to enlarge the petitioner on anticipatory bail.

Accordingly, the prayer for bail of the petitioner is rejected.

(Prabhat Kumar Jha, J)

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