

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20170 of 2018

Arising Out of PS.Case No. -223 Year- 2015 Thana -MAKHDUMPUR District- JEHANABAD

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1. Birendra Yadav, S/o- Late Sahdeo Yadav.
2. Binod Yadav, S/o- Ram Prakash Yadav, Both R/o Village- Gangasagar,
P.S.- Makhdumpur, District- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyendra Prasad Singh

For the Opposite Party/s : Mr. Sri Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 25-06-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Makhdumpur (Tehta O.P.) P.S.Case no.223 of 2015 , registered for offences punishable under Sections 302, 34 and 120B of the Indian Penal Code.

Allegation against the petitioners is that he along with other persons came with arms and fired on the father of the informant causing his death.

Submission of the learned counsel for the petitioners is that there is case and counter case and witnesses in various paragraphs have stated that the informant has himself killed the deceased and the petitioner has been made accused in this case.

Heard learned A.P.P. , who has opposed the prayer for bail



on the ground that independent witnesses have also supported the case of the prosecution.

Having heard both sides and in view of direct allegation against the petitioner, this is not a case for grant of anticipatory bail rather the let the petitioner surrender before the learned court below within a period of six weeks from the date of receipt of order and make prayer for regular bail, which will be considered on the basis of materials available on the record.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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