

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59669 of 2018

Arising Out of PS. Case No.-33 Year-2018 Thana- UDAKISHUNGANJ District- Madhepura

Abhay Kumar Yadav, Son of Bhimnarayan Yadav, Resident of Village-
Kushthan, P.S.- Bihariganj, District-Madhepura.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 28-09-2018 Heard learned counsels for the petitioner and State.

The petitioner is apprehending arrest in a case initially registered for the offences punishable under Sections 323, 341, 307, 120B, 504 and 506/34 of the IPC and Section 27 of the Arms Act, subsequently, Section 302 IPC was also added.

The prosecution case, as per the written report of Shailendra Kumar, submitted to the Station House Officer, Bihariganj Police Station is to the effect that in the background of dispute with regard to construction of drainage, 14 accused persons including the petitioner came and protested. It is alleged against the petitioner that he fired at the father of the informant, Siyaram Yadav, who subsequently succumbed to the injuries.

Learned counsel for the petitioner submits that at the



end of the written report, maliciously, the accusation has been levelled against the petitioner, whereas in the opening line of the written report, it is claimed by the informant that due to night, the visibility was low and hence, he could not identify anyone.

Considering the specific accusation of firing against the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail of the petitioner is rejected in connection with **Bihariganj P.S. Case No. 33 of 2018**, pending in the court of learned **Judicial Magistrate, 1st Class, Uda-Kishunganj, Madhepura**.

(Dinesh Kumar Singh, J)

Amrendra/-

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