

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12520 of 2018

Arising Out of PS.Case No. -273 Year- 2017 Thana -BUXAR MUFFSIL District- BUXAR

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1. Manoj Yadav, Son of Daya Shanker Yadav, R/o Vill.- Pandey Pati, P.S.
Buxar Muffasil, Dist.- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Kamal Deo Sharma

For the Opposite Party/s : Mr. Anuj Kumar Srivastava

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 06-03-2018 Heard both sides.

The petitioner apprehends his arrest in Buxar(M) P.S.
Case No.273 of 2017 registered under Sections 307/34 of the
Indian Penal Code and Section 27 of the Arms Act.

The informant named the petitioner and alleged that
while he was going towards Pandey Pati, the petitioner along with
four other persons came. The petitioner fired from his pistol
causing injuries on his hand and other parts of the body.

The learned counsel for the petitioner submits that the
brother of the petitioner namely Man Mohan Yadav was shot dead
by veteran criminal, Sandeep Yadav and his associates on
05.09.2015 and on the basis of the statement of the petitioner,
Buxar Town P.S. Case No.365 of 2015 was registered. The trial



being Sessions Trial No.21 of 2016 is pending before the 6th Additional Sessions Judge, Buxar. The Sessions Trial was fixed for evidence on 30.10.2017 and the petitioner was to depose but the informant lodged the case making false allegation against the petitioner.

It appears that informant, Kush Kumar Singh was not the accused in Buxar Town P.S. Case No.365 of 2015, corresponding to Sessions Trial No.21 of 2016. The informant made very specific allegation that it was the petitioner who repeatedly fired causing injury on different parts of the body of the informant. There are altogether four injuries caused by firearms.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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