

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.63679 of 2017**

Arising Out of PS.Case No. -122 Year- 2017 Thana -MAKHDUMPUR District- JEHANABAD

=====

Vicky Kumar, son of Bhola Mahto @ Mahendra Prasad @ Mahindra Mahto, Resident of Village-Tehta, P.S. Makhdumpur(Tehta O.P.), District-Jehanabad.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Sri Narendra Kumar Singh

=====

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR**  
**JHA**

**ORAL ORDER**

2      11-01-2018                      Heard both sides.

Petitioner apprehends his arrest in Makhadumpur (Tehta) P.S. Case No.122 of 2017 registered under Section 307, 353, 414 and other Sections of the Indian Penal Code.

The informant alleged that he along with S.H.O. of Tehta O.P. went for arrest in P.S. Case No.92 of 2017, 95 of 2017 and 103 of 2017 but Karu Yadav opened firing on the police personnel. Mukesh Yadav, Sarvesh Yadav along with other accused persons including the petitioner had accompanied Karu Yadav.

The learned counsel for the petitioner submits that no specific allegation is made against the petitioner. One of the accused namely Suryadeo Yadav has already been granted bail but



it appears from perusal of the record that there is allegation that the petitioner and others accompanied Karu Yadav. When the police came, Karu Yadav made firing at the police force and petitioner along with other accused persons fled away. Prayer for anticipatory bail of other co-accused namely Pappu Kumar has already been rejected by this Court. Other accused persons have been granted regular bail.

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

If the petitioner surrenders in the court below, the learned court below shall consider the prayer for regular bail of the petitioner taking into consideration that similarly situated co-accused persons have been granted regular bail.

**(Prabhat Kumar Jha, J)**

Saurabh/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

