

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45288 of 2018

Arising Out of PS.Case No. -866 Year- 2017 Thana -KHAGARIA District- KHAGARIA

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Aatma Ram Yadav Son of late Indradev Yadav Resident of Village-
Barkhandi Tola, P.S. Muffasil, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. S.N.P. Sinha, Sr. Adv.
Mr. Ajit Kumar, Adv.

For the Opposite Party : Mr. Binod Kumar, Adv.

For the State Mr. Ashok Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 05-10-2018 Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner is apprehending his arrest in a case registered
under Sections 147, 148, 149, 341, 447, 323, 385, 307 and 504 of
the Indian Penal Code and 27 of the Arms Act.

The prosecution case, in brief, is that in course of irrigating
the field, the accused persons came to the field of informant and
demanded rangdari and on refusal, the informant was fired upon
by the accused persons..

It has been submitted on behalf of the petitioner that there is
no allegation of tampering of witnesses alleged against the
petitioner. The petitioner has falsely been implicated in this case



due to village politics. The informant is a criminal against whom, a case is also pending vide Sahebpur Kamal P.S. Case No. 180 of 2018. The allegation made in the FIR is denied by the petitioner.

On behalf of the State and the informant, it is submitted that the petitioner is named in the Complaint Case/F.I.R. The specific allegation of firing upon the informant is alleged against the petitioner. The injury report also supports the allegations, made in the FIR.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, prayer for anticipatory bail of the petitioner in connection with Khagaria Muffasil P.S. Case No. 866 of 2017 is rejected.

If the petitioner surrenders in the court below, the same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

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