

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2821 of 2018

Arising Out of PS. Case No.-248 Year-2017 Thana- ALOULI District- Khagaria

1. Yogendra Yadav, son of Late Mahavir Yadav
2. Arjun Yadav, son of Yogendra Yadav
3 Rakesh Yadav, son of Shiv Kumar Yadav
All resident of village Sanjhauti, P.S.- Alouli, District- Khagaria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh
For the Opposite Party/s : Mr. M. Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL**

ORAL ORDER

2 15-01-2018 Heard Mr. Singh for the petitioners and Mr. M. Dayal,
APP for the State.

Apprehending their arrest in Alouli P.S. Case No. 248/2017 (G.R. No. 2201/2017) registered under Section 302/34 IPC and section 27 of the Arms Act, the petitioners have prayed for grant of anticipatory bail.

It is alleged that at the dead of night, the petitioners and other intruded into the room and at the instance of petitioner no. 1, a firing was made by petitioner no. 2 which, however, did not hit any one. Subsequently, another co-accused fired at the face of the daughter of the informant resulting in her instantaneous death.



Counsel for the petitioners submits that there is no allegation attributed to petitioner no. 3. Owing to land dispute, the incident had occurred. Both parties accept this.

Counsel for the State opposed the prayer and submits that the serious offence was committed in a very dare devil manner.

Looking to the nature of allegation and the evidence on record, the Court is not inclined to enlarge the petitioners on anticipatory bail. Prayer is rejected. Petitioners shall surrender and pray for bail in the Court below which shall be considered in accordance with law.

(Kishore Kumar Mandal, J)

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