

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22159 of 2018

Arising Out of PS.Case No. -207 Year- 2015 Thana -DULHIN BAZAR District- PATNA

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1. Mithlesh Yadav @ Mithlesh Kumar Son of Chandeshwar Yadav Resident
of Village Rikhai Tola, P.S. Dulhin Bazar, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar

For the Opposite Party/s : Mr. Bharat Lal

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 11-07-2018 Heard both sides.

The petitioner apprehends his arrest in Dulhin Bazar
P.S. Case No.207 of 2015 registered under Sections 364 and 34 of
the Indian Penal Code. Later on, Section 302 and 201 I.P.C. was
added.

The prayer for anticipatory bail of the petitioner was
earlier withdrawn by the learned counsel for the petitioner after
some argument and accordingly, the same was dismissed as
withdrawn vide order dated 26.09.2016 passed in Cr. Misc.
No.22752 of 2016. The informant alleged that his son was driver
of Hywa Dumper vehicle bearing registration No.BR-01-GC-
4108. The vehicle belonged to Mother India Construction
Company. When his son did not return, the informant inquired from the



owner of the company and it transpired that vehicle met with an accident and villagers set ablaze the vehicle. It also transpired that petitioner, Mithlesh Yadav and other accused persons kidnapped the son of the informant. During the course of investigation, it transpired that the petitioner and other accused persons killed the son of the informant and put his dead body in water. In pursuance of the confession, the dead body of the deceased was recovered.

The learned counsel for the petitioner submits that anticipatory bail petitions of other accused persons namely Umesh Yadav and Jitendra Kumar have been allowed by different Benches of this Court.

Having considered the facts that the prayer for anticipatory bail of the petitioner was earlier rejected and there is specific allegation that it was the petitioner who along with other accused persons kidnapped the son of the informant and killed him and threw his dead body in water, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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