

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63489 of 2017

Arising Out of P.S.Case No. -51 Year- 2017 Thana -CHANAN District- LAKHISARAI

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Binod Yadav, Son of Late Tulsi Yadav, Resident of Village: Singh Chak,
P.S.: Chanan, District- Lakhisarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Arjun Pd. Keshri, Advocate

For the Opposite Party : Mr. Amit Kumar Rakesh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 01-02-2018

Heard.

2. The petitioner apprehends arrest in connection with Chanan P.S.Case No.51 of 2017 pending in the Court of ACJM-Ist, Lakhisarai registered for an offence under Section 302/34 of the IPC and section 27 of the Arms Act.

3. It has been submitted that the allegation of causing fire arm injury is against co-accused Lalan Yadav. The petitioner is alleged to be member of mob having no specific allegation. It has further been submitted that except the informant there is no eye witness to the occurrence and he has been divulged on account of land dispute which is going on in between the informant and the petitioner who are relatives to each other.

4. The learned APP opposed the submissions.



5. On perusal of FIR, I find that this petitioner and co-accused Lalan Yadav armed with fire arms entered into the house of the informant and on the order of Parmeshwar Yadav co-accused Lalan Yadav shot fire on the face of the deceased resultantly the deceased died at the spot and thereafter they escaped from the place of occurrence. I further find that both parties are at inimical term and the petitioner is involved in two more cases registered for the offence under section 307/34 of the IPC and Arms Act.

6. Considering the antecedent of the petitioner and also specific allegation of committing the murder of the deceased, I am not inclined to release the petitioner on anticipatory bail. The prayer for bail is rejected.

(Sanjay Kumar, J)

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