

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17822 of 2018

Arising Out of PS. Case No.-40 Year-2017 Thana- BHEJA District- Madhubani

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1. Sajan Yadav @ Abdhesh Yadav @ Abdhesh Kumar son of Late Asharfi Yadav
 2. Pandit Yadav @ Byas Yadav @ Byasdeo Yadav @ Jharu Yadav son of Late Lakho Yadav both are R/o vill. Partaha O.P. Darhar P.S. Nawhata, Dist. Saharsa.
 3. Ram Sagun Paswan son of late Ram Khelawan Paswan R/o vill-Sundarpur, P.S. Bheja, Dist. Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav
For the Opposite Party/s : Mr. Smt. Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 17-05-2018 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners apprehend their arrest in Bheja P.S. case no. 40/17 instituted for the offence under Section(s) 147, 148, 149, 341, 323, 324 and 307 of the Indian Penal Code and Section 27 of the Arms Act.

It is alleged in the written report that these petitioners along with other accused persons surrounded the house of the informant and started making firing. The informant and his other family members tried to save themselves. The younger brother of the informant, namely, Uday Yadav was running inside the house from the courtyard to save himself then he



sustained some injury because of gun shot hitting in the wall. Anyhow he saved himself and accused persons fled away towards the southern side of the house.

Learned counsel for the informant has filed a counter affidavit stating therein that several cases are pending against all the petitioners as mentioned in detail in paragraph nos. 4 and 5 of the counter affidavit. He has also submitted that recommendation was made to initiate C.C.A. case vide C.C.A. case no. 53 of 2016 against petitioner no.2 by the District Magistrate Saharsa. Petitioners have concealed all these facts in para 3 of the bail petition. Therefore, this Court is not inclined to grant anticipatory bail to the petitioners. Prayer for anticipatory bail of the petitioners stands rejected.

Petitioners may surrender before the Court below and make prayer for regular bail which shall be considered and disposed of on its own merit in accordance with law without being prejudiced by the present order.

(Sanjay Priya, J)

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