

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21503 of 2018

Arising Out of PS.Case No. -211 Year- 2016 Thana -KUSHESHWARSTHAN District-
DARBHANGA

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Rakesh Kumar Yadav @ Rakesh Yadav @ Phocas Yadav @ Fokas Yadav
Son of Shatrughana Yadav@ Shatrudhan Yadav Resident of Village-
Sakhwa, P.S. Bithan, District Samastipur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sarbottam Kumar Sarkar
Mr. Bhubneshwar Prasad, Advocates
For the State : Mr. Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 29-05-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks anticipatory bail in a case registered for
the offence punishable under Sections 302, 379, 120B of the Indian
Penal Code.

According to the FIR, the petitioner and others actively
participated in the murder of Lalit Yadav.

Submission of the learned counsel for the petitioner is
that in fact, there is no eye witness of the occurrence and, false
implication is there due to the reason that murder of the brother of
petitioner was committed by the deceased in the past. The
deceased was himself a man of criminal antecedent.



Two eye witnesses have supported the allegation.

Considering the entire facts, I do not feel inclined to grant anticipatory bail to the petitioner. Hence, prayer for anticipatory bail of the petitioner in connection with Kusheshwar Asthan P.S. Case No. 211 of 2016, stands rejected.

(Birendra Kumar, J)

A.K.V./-

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