

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25180 of 2018

Arising Out of PS.Case No. -274 Year- 2017 Thana -NAUBATPUR District- PATNA

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Raja Ram Yadav

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Naushad Akhtar, Advocate

For the Opposite Party/s : Sri Ram Priya Saran Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 15-05-2018

Heard the parties.

The petitioner seeks anticipatory bail in connection with Naubatpur P.S.Case No. 274 of 2017, registered for offences punishable under Sections 147, 148,149, 323, 324, 325, 326, 307, 302, 504 and 506 of the Indian Penal Code and 27 Arms Act.

Allegation against the petitioner along with other accused persons is that they had assaulted the informant, his son and his nephew by pistol and other sharp cutting weapons, causing injury and later on he died. Petitioner was armed with farsa.

Submission of the learned counsel for the petitioner is that one of the members from the side of the petitioner has also died and there is general and omnibus allegation against all the accused persons but no specific allegation has been attributed against the petitioner and other co-accused has already been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 02.04.2018 passed in Cr. Misc. No. 7629 of 2018.



It has further been submitted that the statement of one Sudhir Yadav @ Munmun, which has been recorded in para-19 of the case diary which shows that no any specific allegation has been attributed against the petitioner.

Heard learned A.P.P. and learned counsel for the informant oppose the prayer for bail and stated that there is sharp cut three injuries found on the person of deceased, caused by sword and farsa, which is serious in nature. Other accused persons, who had been granted anticipatory bail were armed with pistol and there is no firearm injury on the person of deceased.

In view of the facts and circumstances discussed above, let the petitioner, above named, I am not inclined to grant bail to the petitioner. Accordingly, prayer for anticipatory bail is rejected with a direction to the petitioner that if the petitioner surrenders before the Court below within four weeks from the date of receipt of order and makes prayer for regular bail, the same will be considered by the learned court below on its own merit without being prejudiced by this order of this Court.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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