

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8798 of 2019

Arising Out of PS. Case No.-45 Year-2018 Thana- DUMARIYA District- Gaya

1. Upendar Yadav, Son of Bifan Yadav,
2. Jogendra Yadav Son of Jitan Yadav,
3. Bifan Yadav @ Biphon Yadav Son of Late Chaman Yadav,
4. Santoshi Yadav, Son of Late Kuldeep Yadav, Resident of Village- Adarchak, P.S.- Dumariya, District-Gaya.

... .. Petitioners

Versus

The State of Bihar Bihar

... .. Opposite Party

with

CRIMINAL MISCELLANEOUS No. 19561 of 2019

Arising Out of PS. Case No.-45 Year-2018 Thana- DUMARIYA District- Gaya

Sonu Yadav, S/o Late Khedan Yadav R/o Vill- Adarchak, P.S.- Dumaria, Dist.- Gaya.

... .. Petitioner

Versus

The State of Bihar Bihar

... .. Opposite Party

Appearance :

(In CRIMINAL MISCELLANEOUS No. 8798 of 2019)

For the Petitioner/s : Mr. Tabish Sharfuddin, Advocate,

For the Opposite Party/s : Mr. Dashrath Mehta, APP

(In CRIMINAL MISCELLANEOUS No. 19561 of 2019)

For the Petitioner/s : Mr. Dr. Kamal Deo Sharma

For the Opposite Party/s : Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 07-05-2019 Both the aforesaid applications arise out of the same

Dumariya P.S. Case No. 45 of 2018, registered under Sections

147, 148, 149 and 302/34 of Indian Penal Code. Therefore, both

the aforesaid applications have been heard together and are

being disposed of by this common order.



Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehends his arrest in connection with Dumariya P.S. Case No. 45 of 2018, registered under Sections 147, 148, 149 and 302/34 of Indian Penal Code.

The accusation is that due to petty matters, 11 persons named in the F.I.R., including the petitioners, variously armed with weapon reached near the house of the informant Shankar Yadav and committed murder of his wife Samundri Devi by causing injury through knife, Barchha, tangi etc.

Learned counsel for the petitioners submits that, although, petitioners along with six others are named in the F.I.R., but no specific overt act has been attributed against the petitioners, rather, there is general allegation of committing murder of wife of informant. Moreover, only one stab injury was found on the person of deceased, wife of the informant. The petitioners have no criminal antecedent.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioners, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, their prayer for grant of anticipatory bail stands rejected. The petitioners are directed to surrender before the trial



Court within four weeks and pray for regular bail, which would be considered by the trial Court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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