

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8438 of 2019

Arising Out of PS. Case No.-73 Year-2018 Thana- BHARGAMA District- Araria

KAMAL PRASAD YADAV @ KAMAL YADAV, Son of late Bramhdeo
Yadav, Resident of Village - Belha, P.S. Marauna, District Supaul

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Hriday Narayan Harshit

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 23-04-2019 Petitioner seeks bail in anticipation of his arrest in connection with Bhargama P.S. Case No. 73 of 2018, corresponding to G.R.No. 997 of 2018, registered for the offences punishable under Sections 302, 201 and 34 of the Indian Penal Code.

Allegation as per FIR is that one dead body was found near the canal and on that police officials reached there and enquired about the same and it appears that he was killed by some sharp-cutting weapon. Though FIR has been lodged against unknown but later on confessional statement of one Shambhu Sah was recorded, who disclosed the name of the petitioner. Further he is an accused in one more case.

Submission of learned counsel for the petitioner is that except confessional statement there is absolutely nothing



against the petitioner and he has falsely been implicated in this case.

Heard learned APP and learned counsel for the informant, who has opposed the prayer for anticipatory bail on the ground that petitioner has criminal antecedents and he is accused in several cases and investigation is going on.

Having heard both sides and in the facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioner, rather petitioner to surrender and make prayer for regular bail, which shall be considered on its own merit, without being prejudiced by this order.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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