

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13948 of 2019

Arising Out of PS. Case No.-124 Year-2018 Thana- CHAKAND District- Gaya

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1. SUNIL YADAV aged about 26 years (Male) son of Vijay Yadav
 2. Bare Yadav aged about 25 years (Male) Son of Satish Yadav
 3. Chhote Yadav @ Chhoti Yadav aged about 23 years (Male), Son of Satish Yadav
- All are resident of village- Lochhan Begha, Police Station- Belaganj, District- Gaya.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Yadav

For the Opposite Party/s :

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 08-03-2019 Heard learned counsel for the petitioners. No one appears on behalf of the State.

The petitioners are seeking anticipatory bail in connection with Chakand P.S. Case No. 124 of 2018 registered under Sections 302/34 of the Indian Penal Code and 27 of the Arms Act, pending in the court of learned Additional Chief Judicial Magistrate – VIth, Gaya.

The allegation against the petitioners is that they had come to the house of the informant and fired upon the deceased Bindu Yadav who was lying in the courtyard. The accused persons allegedly fled away on motorcycle and



Bindu Yadav died on the spot immediately.

Learned counsel for the petitioners submits that these petitioners have been falsely implicated due to previous enmity of Belaganj P.S. Case No. 116/2018 registered under Section 366(A)/34 of the I.P.C. in which father of the petitioner is the informant and deceased Bindu Yadav was accused. It is submitted that the deceased was not a man of good character and he was defamed in his locality, there were several enmity of the deceased. It is submitted that in fact it is a case of suicide and there is no eye witness to the alleged occurrence.

No one appears on behalf of the State to oppose this application.

Considering the facts and circumstances of the case wherein the informant has alleged that they had come in the house of the informant and had fired upon the grandson of the informant killing him on the spot, I am not inclined to grant anticipatory bail to the petitioners.

Accordingly, prayer for anticipatory bail of the petitioners is refused.

In case, the petitioners surrender and pray for



regular bail in the court below within a period of six weeks from today, the court below shall consider the submissions of the petitioners as noted hereinabove with the materials available on the record and shall take an independent view thereon without being prejudiced by the orders of this court.

(Rajeev Ranjan Prasad, J)

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