

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22993 of 2019

Arising Out of PS. Case No.-866 Year-2017 Thana- BETTIAH CITY District- West
Champaran

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Vijay Yadav Son of Sri Bhola Yadav, Resident of Village - Parbatiya Tola,
P.S.- Bettiah Muffasil, distt.- West Champaran.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Advocate
Ms.Rashmi Jha, Advocate
For the Opposite Party/s : Mr.Bharat Bhushan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

5 23-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in the present case is seeking anticipatory bail in connection with Bettiah Town P.S. Case No. 866 of 2017 registered for the offences punishable under Sections 365, 364, 302, 20, 120-B of the Indian Penal Code.

Learned counsel for the petitioner submits that the alleged occurrence of abduction and killing have taken place during the period when this petitioner was in jail custody. It is submitted that the name of the petitioner has transpired in the confessional statement of the co-accused and only for that reason the petitioner is now apprehending his arrest.

On the other hand, learned APP has opposed the



prayer for anticipatory bail stating that this petitioner has got two criminal cases on his head. One of the cases is registered under Sections 302 and 120-B of the Indian Penal Code. It is further submitted that with reference to the materials collected in course of investigation that the co-accused Avinash Kumar has made a confessional statement leading to recovery of the motorcycle of the deceased. In his confessional statement he has stated about the active participation of this petitioner and informed that this petitioner was telephonically in touch of one Shardanand Yadav and he was monitoring the whole occurrence.

In the given facts and circumstances of the case, where the name of the petitioner has transpired in the confessional statement of the co-accused leading to recovery of the motorcycle of the deceased and finding that the petitioner has got criminal antecedent, this Court is not inclined to grant anticipatory bail to the petitioner.

The application is, thus, dismissed.

(Rajeev Ranjan Prasad, J)

vats/ved

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