

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24811 of 2019**

Arising Out of PS. Case No.-349 Year-2018 Thana- BELAGANJ District- Gaya

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Jitendra Yadav, S/o Bachu Yadav, R/O- Village- Dalelchak, P.S.- Belaganj,
District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mrs. Vagisha Pragya Vacaknavi, Advocate Ms. Sushmita Sharma, Advocate
For the Opposite Party/s :		Mr. Binod Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

5 15-07-2019 This is an application for grant of anticipatory bail in connection with Belaganj P.S. Case No. 349 of 2018, disclosing offences under Sections 341, 323, 379, 307, 504, 34 of IPC and Section 27 of the Arms Act.

Explanation called for from the Superintendent of Police, Gaya is received. Let it be accepted and kept on record.

Allegation against the petitioner is of firing on the son of the informant, causing injury in his stomach.

Submission of the learned counsel for the petitioner is that he has falsely been implicated in this case due to the fact that he is a Government Servant whereas Paras 8 & 11 clearly shows that the firing was made by one Sujit Yadav. It has also been submitted that police has also doubt on the prosecution story.



Heard learned A.P.P. as well as learned counsel appearing on behalf of the opposite party no.2 also, they have opposed the prayer for anticipatory bail on the ground that the statement of the injured was recorded in Para 43 of the case diary, in which he has disclosed the name of the petitioner and other assailants.

Having heard both sides, in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, the petitioner may move before the learned court below for regular bail which will be considered by the learned court below on the basis of the materials available on record, and if possible, be disposed of on the same day.

With the aforesaid, this application is dismissed.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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