

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26266 of 2019

Arising Out of PS. Case No.-60 Year-2018 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

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Manish Kumar Yadav, aged about 24 years (Male), Son of Upendra Yadav
Resident of Village - Kabirpur, P.S.- Shekhopur Sarai, Distt - Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Adv.
Mr.Nilesh Kumar, Adv.

For the State : Mr. Binod Kumar No.3, APP

For the Informant : Mr. Binod Kumar Mishra, Adv.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 15-05-2019 Heard learned counsel for the petitioner and learned
counsel for the State as also counsel for the Informant.

In this case, the petitioner is apprehending his
arrest in connection with Shekhopursarai P.S. Case No. 60 of
2018 registered for offences under sections 302, 120(B)/34 of
the Indian Penal Code and Section 25(1-b)a, 26, 27, 35 of the
Arms Act.

The Informant is the mother who has made an
allegation that she was going along with her son on motorcycle,
in the meantime, four persons including the present petitioner
surrounded them and killed her son and fled away. While they
were fleeing, they met with an accident in which one co-accused
Ganit Yadav @ Gonu died, two persons, namely, Heman Kumar



@ Vikas Kumar and Bharat Yadav got injured and were brought to the hospital.

In the case diary also, the mother has retreated the same statement and one witness has also stated the same thing.

Looking to the nature of allegation as also considering the entire facts and circumstances of the case, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail of the petitioner, above named, is rejected.

If the petitioner surrenders before the court below within a period of three weeks from today and makes a prayer for bail, the court below, without being prejudiced by this order, will pass orders in accordance with law. While taking a decision, the court below will take into consideration that the co-accused Ram Pravesh Yadav and Upendra Yadav have been granted anticipatory bail by this Court vide order dated 17.4.2019 passed in Cr. Misc. No. 23973 of 2019.

(Shivaji Pandey, J)

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