

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.27900 of 2019**

Arising Out of PS. Case No.-340 Year-2014 Thana- BIHTA District- Patna  
=====

1. PINTU YADAV, male, aged about 33 years, Son of Sri Krishna Yadav  
Resident of Village-Parev, P.S.-Bihta, District-Patna.
2. Bhola Yadav, male, aged about 30 years, Son of Sri Krishna Yadav  
Resident of Village-Parev, P.S.-Bihta, District-Patna.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party  
=====

**Appearance :**

For the Petitioners : Mr. Kamal Kishore Sinha, Advocate.

For the Opposite Party: APP  
=====

**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**

ORAL ORDER

2      29-04-2019                      Heard learned counsel for the petitioners and learned  
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act registered in connection with Bihta P.S. Case No. 340 of 2014.

3. It is submitted that the petitioners have been falsely implicated and in any event after due investigation police has submitted final form against the petitioners while charge sheet has been submitted against four other persons and differing with the same cognizance has been taken.

4. Learned APP on the other hand submits that there is direct accusation against the petitioners along with co-accused



Ramji Yadav and Pramod Paswan of having shot dead the informant's husband. Co-accused Pramod Paswan has been denied the privilege of anticipatory bail in Cr. Misc. No. 31102 of 2017. It is further submitted that even though cognizance has been taken on 09.06.2016, the petitioners have approached this Court in the year 2019 after an inordinate delay which discloses that there is no immediate apprehension of arrest.

5. Having regard to the nature of accusations, gravity of the offence alleged as well as the direct accusation against the petitioners of having shot dead the informant's husband, this Court is not inclined to grant the privilege of anticipatory bail to the petitioners. The anticipatory bail petition stands dismissed.

6. If the petitioners surrender and seek regular bail before the learned Court below the same shall be considered on its own merit in accordance with the law, without being prejudiced by any observation in the present order.

**(Vikash Jain, J)**

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