

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27954 of 2019

Arising Out of PS. Case No.-350 Year-2018 Thana- MUNGER MUFFASIL District- Munger

Sintu Yadav, Aged about 35 years, Male, Son of Satto Yadav, Resident of
Village Shankarpur, P.S. Kotwali, District Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamal Kishore Jha

For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 29-04-2019 Heard Mr. Pankaj Kumar Singh, the learned counsel

appearing on behalf of the petitioner and the learned Additional

Public Prosecutor for the State.

Petitioner apprehends his arrest in Muffasil P.S. Case
No.350 of 2018, registered under Sections 341, 323, 307, 379,
504, 506 and 34 of the Indian Penal Code as well as under
Section 27 of the Arms Act.

The informant disclosed in his *fardbeyan* that
Kanhaiya Yadav assaulted his son. The informant complained to
the father of Kanhaiya Yadav but father of Kanhaiya Yadav did
not respond and threatened the informant. On the next day when
the informant had gone to shop to purchase some article,
petitioner, Sintu Yadav, abused the informant, called his family
members, Amirika Yadav and Kanhaiya Yadav and assaulted



the informant with fists and slaps. The petitioner also snatched *Bajrang Bali* made of gold from the neck of the informant and caught the informant and thereafter ordered Kanhaiya Yadav to kill. On such order, Kanhaiya Yadav fired which hit in the abdomen of the informant.

Learned counsel for the petitioner submits that the allegation of assault is not against the petitioner. It was Kanhaiya Yadav, who is said to have fired but it appears that it was the petitioner who initiated the quarrel for no reason and only because the informant complained about the assault made by Kanhaiya Yadav on the son of the informant, the petitioner not only assaulted the informant but also ordered to kill and on such Kanhaiya Yadav fired causing firearm injury in the abdomen of the informant. Petitioner has also got criminal antecedents and he is accused in as many as five cases.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Prabhat Kumar Jha, J)

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