

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.330 of 2019

Arising Out of PS. Case No.-308 Year-2018 Thana- GOGRI District- Khagaria

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B. P. Yadav @ B. P. Kumar son of Sikandar Yadav @ Syekil Yadav, resident
of Jarida, P.S. - Gogari, Distt.- Khagriya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shama Sinha

For the Opposite Party/s : Mr.Sri Navin Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 27-03-2019 Heard the parties.

The petitioner is apprehending his arrest in connection with Gogari P.S.Case No.308 of 2018 registered for offences punishable under Sections 307, 326, 120(B)/34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the sole petitioner and other accused persons is of firing on the son of the informant causing injury to him.

Submission of the learned counsel for the petitioner is that there is land dispute between the parties from before and no specific allegation has been attributed the petitioner. It has also been submitted that the witnesses have stated that at that time he was present in the Nagar Panchayat Election and they have issued certificate to that effect also.



Heard learned A.P.P. and the learned counsel for the informant. They have opposed the prayer for bail on the ground that during the investigation the injured has named the main assailant..

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner, rather let the petitioner surrender before the learned court below within a period of six weeks from the date of order and make prayer for regular bail, which will be considered by the learned court below on its own merit on the basis of materials available on the record without being prejudiced by the order of this Court.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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