

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66202 of 2018

Arising Out of PS. Case No.-40 Year-2013 Thana- MANSI District- Khagaria

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1. Jitendra Verma and Anr Both Sons of Brahamdeo Verma
 2. Ajay Verma Both Sons of Brahamdeo Verma Both are Resident of Village-Rohiyar, P.S. Mansi, Distt.-Khagaria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 22-01-2019 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 302, 379, 504 and 506 of the IPC and Section 27 of the Arms Act.

The prosecution case as per the Fardbeyan of Vinod Yadav dated 27.3.2013 recorded on the same day at 5.45 A.M. at the Verandah of Sadar Hospital, Khagaria, by the SI Ram Rekha Ram of Mansi Police Station, is to the effect that on 26.3.2013 at 7.30 A.M., the informant and his younger brothers Dayanand Yadav and Bhushan Yadav were feeding their cattle, in the meantime, six accused persons including the petitioners and ten unknown, including the petitioners and co-accused Dayanand Verma fired. It is specifically alleged that firing by the petitioners caused injury on the left leg of the informant's



brother Bhushan Yadav. They also snatched Rupees Twenty Thousand from the pocket of the informant's brother.

It is submitted by learned counsel for the petitioners that there is omnibus and general accusation against several persons. The firing hit on the non-vital part of the body of the informant's brother. Statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned counsel for the informant submits that in a case registered in 2013, the anticipatory bail application has been filed in 2018. It is further submitted that petitioners are the assailants and the accusation of firing by both the petitioners is being corroborated by the medical opinion and co-accused Brahmdeo Verma and Dayanand Verma, against whom there is no accusation of firing, have been granted regular bail vide order dated 26.9.2014 passed in Cr. Misc. No. 35925 of 2014.

Considering the fact that there is specific accusation against the petitioners and the accusation being corroborated by the medical opinion, coupled with the fact that the petitioner has preferred anticipatory bail application after six years of lodging of the case, this Court is not inclined to grant anticipatory bail to the petitioners in connection with Mansi P.S. Case No.40 of



2013 pending in the Court of the learned CJM, Khagaria.

This application is, accordingly, dismissed.

(Dinesh Kumar Singh, J)

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