

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65931 of 2018

Arising Out of PS. Case No.-222 Year-2017 Thana- ATHMALGOLA District- Patna

Satyendra Kumar @ Murhi Son of Late Yugo Yadav, Resident of Laheriya
Pokhar, P.S.- Barh, District- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chhote Lal Mishra, Adv.

For the Opposite Party/s : Mr. Nityanand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 04-02-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest for the offences
alleged under Sections 302, 120B and 34 Indian Penal Code and
section 27 Arms Act registered in connection with Athmalgola
P.S. Case No. 222/2017.

It is submitted that the petitioner has been falsely
implicated and the entire accusation narrated in the First
Information Report are highly improbable. Even though the
occurrence is said to have transpired at Bakhtiarpur and the
injured/nephew of the informant taken to the hospital by the
Police, no First Information Report has been instituted at
Bakhtiarpur. It is also highly unlikely that the nephew of the
informant having received bullet injuries on his head and



stomach would have been in a position to disclose the name of the petitioner and other co-accused persons to the informant. Petitioner claims clean antecedent.

Considering the nature of accusation and the gravity of offence alleged, this court is not inclined to grant the privilege of anticipatory bail to the petitioner. Bail petition stands dismissed.

If the petitioner surrenders and seeks regular bail before the learned court below the same shall be considered on its own merit in accordance with law and shall be disposed of expeditiously without being prejudiced by any observation in the present order.

(Vikash Jain, J)

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