

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48042 of 2019

Arising Out of PS. Case No.-155 Year-2019 Thana- BRAHMPUR District- Buxar

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Vijay Yadav, Son of Late Ram Janam Yadav, Resident of Village-Ariyon, P.S.-
Brahmpur (Krishnabrahm), District-Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Kamal Deo Sharma, Adv.

For the Opposite Party/s : Ms. Madhura Nand Jha, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 16-11-2019 The petitioner seeks bail in anticipation of his

arrest in connection with Brahmpur (Krishnabrahm) P.S.

Case No. 155 of 2019, dated 06.04.2019, instituted for the

offences under Sections 302 and 34 of the Indian Penal

Code and Section 27 of the Arms Act.

The allegation against the petitioner is of having

caught hold of the deceased when he was shot dead by

another accused persons.

The learned counsel for the petitioner has

submitted that the allegation aforesaid does not appear to be

probable as if it is correct, then the petitioner also ran the



risk of being injured in the occurrence. This may be a good ground for seeking regular bail.

However, considering the fact that the petitioner is said to have caught hold of the deceased, who was shot dead, I am not inclined to grant anticipatory bail to the petitioner.

The prayer for anticipatory bail is, accordingly, rejected.

However, should the petitioner surrenders before the Court below within a period of four weeks and seek regular bail, the Court below shall consider the case on its own merits without being prejudiced by the fact that the present anticipatory bail application has not been entertained by this Court.

The petition is dismissed.

(Ashutosh Kumar, J)

Praveen-II/-

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