

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48794 of 2019

Arising Out of PS. Case No.-40 Year-2019 Thana- AKBARPUR District- Nawada

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SANOJ YADAV @ SUDHIR KUMAR Son of Mahendra Yadav Resident of
Village- Moasma, P.S. Varsaliganj, District- Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Suresh Singh, Advocate

For the Opposite Party/s : Mr.Kalyan Shankar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 16-11-2019 Heard learned counsel for the petitioner and

learned counsel representing the informant as well as

learned A.P.P. for the State.

The petitioner in the present case is seeking
anticipatory bail in connection with Akbarpur P.S. Case No.
40 of 2019 for the offences under Sections 302/201/34 of
the Indian Penal Code, pending in the court of learned
A.C.J.M. - 1, Nawada.

Learned counsel for the petitioner submits that the
name of the petitioner has transpired in the confessional
statement of the co-accused Ajay Yadav, save and except
that there is no other material to connection him in the
present case.



On the other hand, learned counsel for the informant submits that in course of investigation it has come that at the instance of this petitioner only the deceased had advanced a sum of Rs. 1,00,000/- to the co-accused Ajay Yadav and when the deceased was demanding back the said money a conspiracy was hatched out to kill him in which this petitioner had actively participated and in the confessional statement it has come that it is this petitioner who had given the first blow on the head of the deceased by an iron rod. It is submitted that in the given facts and circumstances the petitioner does not deserve privilege of anticipatory bail.

Having heard learned counsel for the parties and on perusal of the records, this court finds that the learned court below has, while rejecting the prayer for anticipatory bail of the petitioner, gone through the materials collected in course of investigation and has referred the same in the impugned order. It has transpired that this petitioner had given the first blow on the head of the deceased and the informant of this case is none else but own sister of the co-accused Ajay Yadav. This petitioner is said to be the friend



of co-accused Ajay Yadav and is also engaged in the same occupation of driving of Truck.

Considering the circumstances where some materials have come against the petitioner, this court is not inclined to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner is refused.

In case, the petitioner surrenders and prays for regular bail within a period of four weeks from today his prayer for regular bail shall be considered by the court below on it's own merit without being prejudiced by the order of this court.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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