

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65517 of 2019

Arising Out of PS. Case No.-89 Year-2019 Thana- SONO District- Jamui

RAJESH KUMAR Son of Sri Shankar Yadav Resident of Village- Agahara,
P.S.- Sono, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prakash Mahto

For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 18-12-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 302/34 of the Indian Penal Code.

The prosecution case is that the informant's brother Nityanand Yadav @ Manoj Yadav was going to his coaching for giving tuition and due to previous dispute, Gurudayal, Anil Yadav, Pintu Kumar, Ashish Kumar, Niwas Kr. Yadav, Ranjit Kumar, Rajesh Kumar (petitioner), and Radhunandan Yadav have assaulted the deceased by pelting stones with common intention.

Learned counsel for the petitioner submits that petitioner is innocent, has committed no offence and he has been



falsely implicated in this case. He submits that there is no specific allegation against the petitioner. He further submits that petitioner has no criminal antecedent.

Learned counsel for the State submits that in several paras of the case diary, the witnesses have supported the prosecution case.

Considering the nature of allegation, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, his payer for anticipatory bail is rejected in connection with Sono P.S. Case No. 89 of 2019 pending before the court of the learned Additional Chief Judicial Magistrate, 1st, Jamui.

Accordingly, the application is dismissed. However, petitioner is directed to surrender before the court below and prayer for regular bail and the learned court below will consider the bail application of the petitioner on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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