

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70305 of 2019

Arising Out of PS. Case No.-29 Year-2019 Thana- TANKUPPA District- Gaya

RAJU YADAV Son of Jatram Yadav Resident of Village- Darjiyachak, P.S.-
Tankuppa, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rashmi Sharma
For the Opposite Party/s : Mr.Anish Chandra

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 07-11-2019 Petitioner seeks bail in anticipation of his arrest in connection with Tankuppa P.S. Case No. 29 of 2019 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 302 of the Indian Penal Code and Section 27 of the Arms Act, pending in the court of A.C.J.M.-I, Gaya.

As per FIR while son of informant was going for treatment the petitioner and other accused persons accosted him with variously armed and started assaulting son of informant by lathi, danda, rod and butt portion of rifle and when informant and others came to rescue him the accused persons, including the petitioner started making indiscriminate firing and further allegation is of assaulting the informant by other accused persons. It further appears that later on son of informant has died.



Submission of learned counsel for the petitioner is that there is delay in lodging the FIR as well as of receiving to the court of Magistrate and moreover no specific allegation has been attributed against the petitioner.

Heard learned APP, who has opposed the prayer for anticipatory bail stating that petitioner and other accused persons accosted him, assaulted and made indiscriminate firing with common intention and object of the petitioner is with other accused persons.

In view of above facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioner. He has to surrender and pray for regular bail, which shall be considered on the basis of materials against the petitioner.

This application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

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