

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10552 of 2020

Arising Out of PS. Case No.-34 Year-2018 Thana- GHOGHARDIHA District- Madhubani

SUKDEO YADAV @ SUKHDEO YADAV Son of Lakshman Yadav Resident
of Village- Punchvinda, P.S.- Marauna, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hriday Narayan Harshit

For the Opposite Party/s : Mr.Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 23-06-2020 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor representing the State, through
Video Conferencing.

This application, for grant of anticipatory bail, arises
out of Ghoghardiha Police Station Case No. 34 of 2018,
disclosing offences under Sections 147/148/149/302/379/504/
506 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation against the petitioner is that he fired
upon the cousin brother of the informant, namely, Satya
Narayan Yadav (deceased).

Learned Counsel for the petitioner submits that
altogether 11 persons have been named in the First Information
Report as accused persons. He submits that the allegation
against the petitioner is that he fired upon the deceased from his



pistol near his temporal region, but from the *post mortem* examination report (Annexure 4), it is evident that there is fire arm injury near the neck of the deceased. He further submits that on the date of occurrence, he was admitted in a hospital and was not present at the place of occurrence.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that there is direct allegation against the petitioner of firing upon the deceased by means of fire arm and the opinion of the doctor is that death has caused due to fire arm injury in the upper portion of the body of the deceased, I am not inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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