

IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr. Misc. No. 21362 of 2020

Daya Ram Yadav son of Bhola Yadav, resident of village-Kabir Chak, P.S.-
 L.N.M.U., District-Darbhanga.

... .. Petitioner

Versus

The State of Bihar

.. ... Opposite Party

Appearance :

For the Petitioner : Mr. Vinay Kumar Mishra, Advocate

For the Respondent State: Mr. Arvind Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 22-07-2020 Heard Mr. Vinay Kumar Mishra, learned counsel
 appearing on behalf of the petitioner and Mr. Arvind Kumar
 Pandey, learned Additional Public Prosecutor, for the State of
 Bihar.

This application for grant of anticipatory bail arises
 out of Sadar P.S. Case No. 121 of 2019 registered for the
 offence punishable under Section 302, 201, 120(B), 34 of the
 Indian Penal Code.

The petitioner was not named in the First Information
 Report. It transpires that his involvement surfaced in course of
 investigation. From the First Information Report, it is evident
 that two persons were found killed.

Considering the fact that the petitioner's name has
 cropped up in course of investigation and his custodial
 interrogation may be required, I am not inclined to grant him



anticipatory bail, particularly in the light of Supreme Court's decision in case of *Jai Prakash Singh vs. State of Bihar and Others*, reported in (2012) 4 SCC 379.

This application is accordingly dismissed.

The petitioner is directed to surrender before the Court below within a period of eight weeks from today and seek regular bail, if so advised. If he does so, his application for regular bail shall be considered by the learned Court below on its own merit without being prejudiced by rejection of present application for grant of anticipatory bail.

It is indicated that defect, if any, shall be removed within two months.

Since there is a lock down, the Court has considered it appropriate to adopt following procedure for communication of the present order :-

(i) The order, which has been dictated during the course of the proceedings of virtual Court, shall be communicated to me on my e-mail I.D. by the Secretary.

(ii) The corrected copy of the order shall be transmitted by me from my e-mail I.D. to the Secretary, which shall be treated to be the authentic copy of the order passed by this Court today in the present proceeding.

(iii) Hard copy of the order, duly signed by me, shall



be preserved in my residential-office for documentation and future use, if any.

(iv) Let a copy of the order be communicated to the learned Court below through e-mail or any other appropriate electronic mode by the Registry.

Let steps be taken by the Registry for uploading of the present order without compromising with the norms of social distancing.

(Chakradhari Sharan Singh, J)

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