

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80234 of 2019

Arising Out of PS. Case No.-312 Year-2019 Thana- HARNAUT District- Nalanda

Bipin Yadav Son of Late Upender Yadav Resident of Village - Kharuara,
Police Station - Harnaut (Chero O.P.), District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh, Advocate

For the Opposite Party/s : Mrs.Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

3 16-03-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking anticipatory
bail in connection with Harnaut (Chero O.P) P.S. Case No.312
of 2019, registered for the offence punishable under Sections
147, 148, 149, 341, 302, 504 of the Indian Penal Code and
Section 27 of the Arms Act.

Allegation has been made that son of the informant
was surrounded by the accused persons and whereafter he was
killed by bullet injury. It has further been alleged that all
accused persons were involved in commission of the death of
son of the informant.

From the FIR, it appears that the name of the



petitioner has also been shown to be involved in commission of the crime and from the place of occurrence, six empty cartridges were found along with one live cartridge. From the case diary, it also appears that the informant in his restatement and other witnesses in different paragraphs have supported the complicity of the petitioner in the alleged crime.

Counsel for the petitioner submits that no specific allegation has been attributed against the petitioner and the petitioner is a private employee of HDFC Bank, Bakhtiyarpur and on the day of occurrence, he had gone to Patna for the official work.

But, looking to the entirety of the case, this Court is not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail is rejected.

However, if the petitioner surrenders before the Court below within four weeks from today and prays for regular bail, the Court below will consider the same and pass appropriate order without being influenced by the order of this Court.

(Shivaji Pandey, J)

V.K.Pandey/-

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