

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34766 of 2020

Arising Out of PS. Case No.-473 Year-2019 Thana- SAUR BAZAR District- Saharsa

Sonu Kumar @ Bijli Kumar Yadav Son of Maheshwar Yadav Resident of Village-Sekhpura Chaman, Gosai Tola, Police Station-Udakishunganj, District-Madhepura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rupesh Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 24-11-2021 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner apprehends his arrest in Sour Bazar (Pastpar O.P.) P.S. Case No.473 of 2019, registered for the offences punishable under Sections 147, 148, 149, 302, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, in brief, is that the son of the informant was shot dead by the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. There is no eye witness in the present case and only on the basis of suspicion, the petitioner is made accused. It is also submitted that there is land dispute between the parties.



The petitioner has got no criminal antecedent as stated in paragraph 3 of the bail petition.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioner and submitted that from perusal of the FIR, it transpires that the driver of the vehicle told the petitioner to flee away from the place of occurrence. It is also submitted that from perusal of the records including the case diary, it appears that the witnesses have supported the prosecution case.

Having considered the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

However, the petitioner is directed to surrender before the court below within a period of four weeks from today and the learned court below shall consider the prayer for regular bail of the petitioner preferably on the same day without being prejudiced from the order of this Court.

(Anjani Kumar Sharan, J.)

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