

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38338 of 2020**

Arising Out of PS. Case No.-32 Year-2020 Thana- SULTANGANJ District- Bhagalpur

GOPAL YADAV @ GOPAL KUMAR YADAV @ GOPAL KUMAR SON OF
MANOJ YADAV RESIDENT OF VILLAGE - GANGTI, P.S. -
SULTANGANJ, DISTRICT - BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Adv.
For the Opposite Party/s : Mr. A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 28-10-2021 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Sultanganj P.S. Case No. 32 of 2020 for the offence
punishable under Sections 302/34 of the Indian Penal Code.

According to the prosecution case, the petitioner
along with others have killed the son of the informant.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has not committed any offence. Although the
petitioner has been named in the F.I.R. along with others but
no specific allegation of assault or any overt act is attributed
to him. Moreover, the petitioner has been made accused in
this case merely on the basis of suspicion and except



suspicion, no cogent material has come during course of investigation. Hence, the petitioner may be granted the privilege of anticipatory bail.

Learned A.P.P. for the State has, vehemently, opposed the prayer for grant of anticipatory bail to the petitioner and submitted that during investigation the co-accused, Pankaj Yadav in his confessional statement, stated that the petitioner has killed the deceased by cutting his neck by a sharp cutting weapon i.e. DAABH.

Considering the facts and circumstances of the case, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. Accordingly, the prayer for grant of anticipatory bail is rejected.

(Rajesh Kumar Verma, J)

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