

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39479 of 2020

Arising Out of PS. Case No.-177 Year-2020 Thana- TEKARI District- Gaya

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1. Chinta Devi @ Minta Devi W/o Sonu Yadav Resident of Village- Dariyapur, P.S.- Tekari and Distt- Gaya (Bihar).
 2. Sonu Yadav Son of Late Kuleshwar Yadav Resident of Village- Dariyapur, P.S.- Tekari and Distt- Gaya (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 27-10-2021 Heard learned counsel for the petitioners and

learned APP for the State.

Learned counsel for the petitioners is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by the office when called upon to do so by the office.

The petitioner are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 302, 120(B), 34 of the Indian Penal Code and Section 27 of the Arms Act.



It is alleged by the informant in the F.I.R that when the informant and his father were going outside on motorcycle, four accused persons including petitioner No. 2 surrounded them. It is alleged that thereafter co-accused Sonu Yadav and Krishna Yadav started assaulting and co-accused Chhotu Yadav fired from his pistol on the father of the informant whereas co-accused Babun Yadav fired on the informant. The father of the informant was thereafter taken to the hospital, where he was declared dead.

It is submitted by learned counsel for the petitioners that in the background of some family dispute between the parties, the petitioners have been implicated in this case. Moreover, the specification accusation of firing is not alleged against the petitioners.

Considering the fact that main accused Chhotu Yadav happens to be the own brother of petitioner No. 1 and own brother-in-law of petitioner No. 2, on whose firing the father of the informant succumbed to the



injuries as well as the statement of the witnesses in the case diary and the postmortem report corroborating the prosecution version, this Court is not inclined to grant privilege of anticipatory bail to the petitioners.

Accordingly, the application for grant of anticipatory bail to the petitioners stands rejected.

(Sunil Kumar Panwar, J)

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