

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3626 of 2021

Arising Out of PS. Case No.-103 Year-2020 Thana- JAGDISHPUR District- Bhagalpur

1. SUBHASH YADAV, LATE MUNCHUN YADAV VILLAGE
RAMCHANDRAPUR, P.S. GORADIH, DISTRICT- BHAGALPUR
2. DILIP YADAV, SON OF SUBHASH YADAV RAMCHANDRAPUR, P.S.
GORADIH, DISTRICT- BHAGALPUR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh- Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay- A.P.P.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 26-08-2021 Heard Mr. Rajive Ranjan Singh, the learned Advocate

for the petitioners and Mr. Jharkhandi Upadhyay, the learned

APP for the State.

The learned Advocate for the petitioners seeks
permission to withdraw the application with respect to petitioner
no.1 who has been arrested.

The application with respect to petitioner no.1 is
dismissed as having become infructuous.

The petitioner no.2 seeks bail in anticipation of his
arrest in connection with Jagdishpur (Goradih) P. S. Case
No.103 of 2020, instituted for the offences under Sections 323,
341, 307, 504, 506, 379, 34 of the Indian Penal Code.



Petitioner no.2 is said to have opened fire at the informant.

Regard being had to the nature of accusation against the petitioner no.2, I am not inclined to grant anticipatory bail to him, notwithstanding the fact that the informant has received simple injury.

The prayer for anticipatory bail of the petitioner is rejected.

However, if the petitioner no.2 surrenders before the Court below and seeks bail, the Court below shall consider the case on its own merits, without being prejudiced by the fact that the present anticipatory bail application has not been entertained by this Court.

(Ashutosh Kumar, J)

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