

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7921 of 2022

Arising Out of PS. Case No.-87 Year-2019 Thana- RAMGARHWA District- East Champaran

AJAY SHUKLA SON OF SAJAWAL SHUKLA R/O VILLAGE-
PANCHBHIDIYA, P.S.- RAMGARHWA, DISTRICT- EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arbind Kumar Singh

For the Opposite Party/s : Mr.Shailendra Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 29-08-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard the learned counsel for the petitioner and

learned APP for the State.

The petitioner apprehends his arrest for the

offences alleged under Section 302/34 of the Indian Penal Code,

registered in connection with Ramgarhwa P.S.Case No. 87 of

2019.

As per allegation, the informant and his son Ashok

Yadav were returning to their house by a motor-cycle and when

they reached *Katkenwa* near *Jyoti* village, 11 accused persons

including the petitioner, came there. They surrounded the



informant and his son. At the order of accused Balram Yadav, co-accused Pawan Yadav fired shot with a pistol on Ashok Yadav, who died at the spot. The accused persons also attempted to kill the informant by firing shot, but he was saved luckily.

The learned counsel for the petitioner has submitted that the petitioner is innocent. The informant was a life convict in a case of murder of Vinay Shukla, the brother of the present petitioner. After sentence, the informant came out of the prison and he was going by a motor-cycle with his son and his son was murdered by some miscreants and the petitioner has falsely been implicated. He has submitted further that there is no allegation on the petitioner to open fire, rather it is only against co-accused Vinod Yadav and Pawan Yadav. He has also submitted that the matter has been compromised between the parties.

The FIR itself shows that the petitioner was a member of unlawful assembly. The witnesses in paragraph nos. 15,16, 22, 24, 25 and 28 have supported the occurrence.

In my view, it is not a fit case for anticipatory bail to the petitioner. His prayer for anticipatory bail is hereby rejected.

The petitioner is directed to surrender in the court below and make a prayer for regular bail.



Office shall ensure that all defects are removed by the petitioner within the stipulated time as provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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