

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11418 of 2022**

Arising Out of PS. Case No.-120 Year-2021 Thana- CHHATAPUR District- Supaul

PANKAJ YADAV @ PANKAJ KUMAR YADAV Son of Late Rajendra
Yadav Resident of Village - Ghibha, P.S. - Chhataput, Distt.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Jha

For the Opposite Party/s : Mr.Pranav Kumar

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 27-09-2022 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Section 302 and 34 of the Indian Penal Code.

As per the prosecution case, this petitioner alongwith other accused persons took away the son of the informant and killed him whereafter, his dead body was found lying on a road near Sursar river.

It is submitted on behalf of petitioner that informant is not eye-witness of the occurrence and only on suspicion, petitioner has been made accused in this case. As a matter of fact, the deceased Amit Kumar was sitting on a tractor and accidentally he fell down from the said tractor and crushed by the wheel of tractor, as a result of which, he died.



However, learned A.P.P. for the State opposed the bail petition and submitted that there is direct and specific allegation against this petitioner that he alongwith others took away the deceased and killed him.

Considering the same, the prayer for anticipatory bail of petitioner is rejected. However, if petitioner surrenders before the court of learned A.C.J.M.-I, Supaul in connection with present case i.e. Chhatapur P.S. Case No. 120 of 2021 within a period of six weeks from today and prays for regular bail, the learned court below, without being prejudiced by this order, shall examine the same on its own merit and pass appropriate order in accordance with law.

(Prabhat Kumar Singh, J)

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