

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25050 of 2021

Arising Out of PS. Case No.-375 Year-2020 Thana- NOORSARAI District- Nalanda

KAMENDRA YADAV @ KABINDRA YADAV Son of Late Shiv Balak
Gope Resident of village - Makanpur, P.S.- Noorsarai, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Raj Kishor Prasad
For the Opposite Party/s	:	Mr. H.A. Khan
For the Informant	:	Mr. Satish Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 17-01-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

The petitioner apprehends his arrest in Noorsarai P.S.
Case No. 375 of 2020 registered for the offences punishable
under Section 302, 201 & 120B/34 of the Indian Penal Code
pending in the Court of learned ACJM-VII, Nalanda at
Biharsharif.

The accusation against the petitioner is that he in
association of other F.I.R. named co-accused is said to have
murdered the husband of the informant.

It is submitted by learned counsel for the petitioner
that no such occurrence as alleged ever took place. He has been
falsely implicated in this case merely on suspicion. The



allegation levelled against the petitioner is not specific rather general and omnibus in nature. No any independent witness has supported the version of the informant. There is no eye witness in this case. The petitioner's name was later on added in this case. Petitioner has no criminal antecedent.

Learned APP for the State vehemently opposing the bail petition submitted that in further statement of informant in para-7 and other witnesses in para-8, 9, 10,19, 39, 40, 41 & 51 of the case dairy have supported the prosecution case. Hence, the petitioner does not deserve anticipatory bail.

Considering the facts and circumstances of case and also perusing the case diary, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, the petitioner is directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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