

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15372 of 2022

Arising Out of PS. Case No.-29 Year-2016 Thana- DEO District- Aurangabad

Umesh Yadav Son Of Late Karamdeo Yadav Resident Of Village - Nakti,
P.S.- Deo, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Sr. Advocate Mr. Pushpendra Kumar Singh, Advocate
For the Informant	:	Mrs. Divya Bharti, Advocate
For the State	:	Mr. Ramchandra Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 28-09-2022 Heard learned counsel for the petitioner,

informant and learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 302, 120(B) of the Indian Penal Code, Section 27 of the Arms Act and Section 17 of the Criminal Law Amendment Act.

It is the case of the prosecution that this petitioner and co-accused Surendra Yadav and other accused persons made indiscriminate firing upon Manoj Singh, as a result of which, he died on the spot.



It is submitted by learned counsel for the petitioner that deceased Manoj Singh and co-accused Surendra Yadav both were the candidates for the post of Mukhiya and since the petitioner was supporting the candidature of co-accused Surendra Yadav, hence, this false case has been registered against the petitioner. It is also submitted that during investigation, no evidence has come against the petitioner about the complicity of the petitioner in commission of the offence.

Learned counsel appearing on behalf of the informant and learned A.P.P for the State have vehemently opposed the prayer for anticipatory bail of the petitioner and submitted that there is direct allegation against the petitioner to shot fire along with co-accused Surendra Yadav, as a result of which, Manoj Singh received gunshot injuries and died. During investigation, the independent witnesses have also supported the prosecution case. The postmortem report also suggests the cause of death due to fire arm.



Considering the gravity of the offence and the evidences available during the course of investigation against the petitioner, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

Accordingly, the prayer for grant of anticipatory bail to the petitioner stands rejected.

(Sunil Kumar Panwar, J)

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