

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.30652 of 2021**

Arising Out of PS. Case No.-185 Year-2020 Thana- MOKAMAH District- Patna

UMESH YADAV S/o Late Ramji Yadav R/o Village- Kanhaipur, Gahilsthan,  
P.S.- Mokama, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr.Arjun Prasad

For the Opposite Party/s : Mr. Pramod Kumar Pandey

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

ORAL ORDER

5      25-04-2022              Learned counsel for the petitioner is directed to remove all  
the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner as well as learned  
APP for the State.

The petitioner apprehends his arrest in connection with  
Mokama P.S. Case No. 185 of 2020, registered for the offences  
punishable under Sections 147, 148, 149 and 302/34 of the Indian  
Penal Code read with under section 27 of the Arms Act.

Madhu Devi is the informant. She lodged the FIR stating  
therein that on 13.09.2020 at about 4 pm her son Guddu Kumar aged  
20 years went out from the house. Suddenly 16 FIR named accused  
persons including the petitioner equipped with firearms surrounded  
him. Laxman Yadav fired shot at the chest of the deceased Guddu  
Kumar. Co-accused Mukesh Yadav, also fired shot at the chest of the



deceased. Nitish Kumar fired shot at scapular region of the deceased and co-accused Bindeshwar Yadav fired shot on neck of the deceased. Co-accused Dipu fired shot on waist of the deceased. Co-accused Nagendra Yadav fired shot at thigh of the deceased. After killing him the accused persons fled away from the place of the occurrence.

Learned counsel for the petitioner has submitted that there is no specific allegation on the present petitioner to open fire on the person of the deceased.

It is true that there is no specific allegation against the petitioner of opening fire but he was amongst the 16 accused persons who surrounded the deceased and thereafter co-accused persons opened fire on the deceased and killed him.

The petitioner has a very strong criminal antecedent of seven cases. As such, it is not a fit case for anticipatory bail.

Accordingly, prayer for anticipatory bail of the petitioner is rejected.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

**(Nawneet Kumar Pandey, J)**

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