

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44684 of 2022

Arising Out of PS. Case No.-329 Year-2021 Thana- MUNGER MUFFASIL District- Munger

JITENDRA YADAV Son of Chhedi Yadav Resident of Village - Tikarampur,
Bihari Marar Tola, P.S.- Mufassil, District - Munger.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Jha

For the Opposite Party/s : Mr.Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-12-2022 Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in a case registered for the offence punishable under sections 302/506 and other ancillary sections of the Indian Penal Code and sections 27/35 of the Arms Act.

Learned counsel for the petitioner submits that as per FIR co-accused Santosh Yadav fired upon the brother of the informant causing him injury over the waist. There is general and omnibus allegation of firing against all other accused persons and no specific overt act has been alleged against the petitioner. Petitioner was not present at the place of occurrence and due to some previous enmity he has falsely been roped in this case. Similarly situated co-accused have been allowed bail by this Court vide orders passed in Cr.Misc.No. 10408/2022 &



8099/2022.

Learned counsel appearing for the State opposes the prayer for bail submitting that petitioner is one of the accused persons who made indiscriminate firing. Besides this, petitioner has got criminal antecedent as he is already accused in five other criminal cases.

Considering the nature of allegation and the criminal antecedents of the petitioner, prayer for bail of the petitioner is refused with direction to surrender and seek regular bail which would be considered and disposed of on its own merit without prejudice.

(Prabhat Kumar Singh, J)

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