

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2393 of 2023

Arising Out of PS. Case No.-153 Year-2021 Thana- JHAJHA District- Jamui

JIBLAL YADAV Son of Late Girdhari Yadav Resident of Village- Pairgaha,
P.S.- Jhajha, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Pd. Singh, Sr. Adv
		Mr. Bhaskar Shankar, Adv
For the Opposite Party/s	:	Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-02-2023 Heard the parties.

The petitioner apprehends his arrest in connection with Jhajha P.S. Case No.153 of 2021, registered for the offence punishable under sections 302, 201, 120B of the Indian Penal Code.

As per the allegation, the petitioner alongwith other co-accused persons killed Gudiya Kumari and her lover Kundan Kumar.

It is submitted by learned senior counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and



omnibus in nature. There is no specific overt act against the petitioner. Petitioner is the uncle of deceased Guriya Kumari. He further submits that the petitioner is living separately from his brother since long and he has no concern with the family affair of the deceased. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail by submitting that the statement of the mother of deceased was recorded u/s 164 Cr.PC in which she supported the prosecution case.

Having regard to the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

Accordingly, this application is dismissed.

However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seek for regular bail, the learned court below shall pass the order preferably on the same day, in accordance with law considering the fact that some of the co-accused have been granted regular bail.

(Anjani Kumar Sharan, J)

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