

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.6996 of 2023**

Arising Out of PS. Case No.-517 Year-2022 Thana- DHANARUA District- Patna

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SUSHIL KUMAR @ SUSHIL YADAV Son of Muneshwar Singh @  
Bhuneshwar Yadav R/v- Jiauddin Chak, P.S.- Dhanarua, Presently residing at  
Village- Sirpatpur, P.S.- Gopalpur, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Deepak Kumar  
For the Opposite Party/s : Mr. Shantanu Kumar  
Mr. Jagjit Roshan

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      13-04-2023      Heard the parties.

The petitioner apprehend his arrest in connection with  
Dhanarua P.S. Case No.517 of 2022, registered for the offence  
punishable under Sections 302/34 of the Indian Penal Code and  
27 of Arms Act.

As per the FIR, the co-accused persons caught hold of the  
deceased and abused him and also threatened the family  
members of the deceased. The allegation against the petitioner is  
that he fired on the chest of the deceased namely, Khubal  
Prasad.

It is submitted by learned 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. There is no eye witness in the present case. Petitioner has no criminal antecedent.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail. Learned counsel for the informant submits that the petitioner has suppressed his criminal antecedent and also there is a direct allegation of firing against the petitioner

Having regard to the facts and circumstances of the case as the petitioner has suppressed his criminal history as well as there is specific and direct allegation against the petitioner, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

This application is accordingly, dismissed.

**(Anjani Kumar Sharan, J)**

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