

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8530 of 2023

Arising Out of PS. Case No.-160 Year-2021 Thana- CHAKAI District- Jamui

Mukesh Kumar Yadav Son Of Arjun Prasad Yadav Resident Of Village-
Rayachor, P.S.- Chandra Mandih, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-04-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in Chakai P.S.
Case No. 160 of 2021 registered for the offences punishable
under Sections 302 and 120B of the Indian Penal Code and
Section 27 of the Arms Act pending in the Court of learned
A.C.J.M. 5th, Jamui.

As per the prosecution case, the son of the
informant was going to the house of his sister, on the way two
unknown persons sat on the motorcycle of his son after taking
lift, and thereafter, the son of the informant and two unknown
persons started gossiping with each other, and in course of
gossiping in Bichkoragadha field, both unknown persons
committed murder of his son by shooting in his neck.

Learned counsel for the petitioner submits that no



such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that there is no eye witness in the present case only on the basis of confessional statement of the co-accused the petitioner is made accused in the present case. He submits that the petitioner is working at Deoghar as Security Guard in SBI. The petitioner has got no criminal antecedent as mentioned in para-3 of the bail application.

Learned APP for the State vehemently opposing the bail petition submitted that from perusal of the impugned order, in para-44 of the case diary confessional statement of the co-accused has been mentioned, in which he has admitted his complicity as well complicity of this petitioner in the alleged occurrence. Hence, he does not deserve privilege of anticipatory bail.

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail.

The prayer for anticipatory bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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