

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43205 of 2023

Arising Out of PS. Case No.-108 Year-2023 Thana- GOGRI District- Khagaria

1. Saurav Yadav @ Saurav Kumar S/O Sipeen Yadav R/O Village- Sishwa, Ps. Gogari, Dist. Khagaria
2. Gaurav Yadav S/O Sipeen Yadav R/O Village- Sishwa, Ps. Gogari, Dist. Khagaria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hare Krishna Prasad
For the Opposite Party/s : Mr. Murli Dhar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-08-2023 Heard learned counsel for the petitioners and learned

A.P.P. for the State assisted by learned counsel for the victim.

2. Learned counsel for the victim has filed a counter affidavit in the present case, in the Court, and also served a copy of the same to learned counsel for the petitioners.

3. Let it be kept on record.

4. The petitioners apprehend their arrest in Gogri P.S. Case No. 108 of 2023 registered for the offences punishable under Sections 307, 506, 120(B)/34 of the Indian Penal Code and Section 27 of the Arms Act, pending in the Court of learned Chief Judicial Magistrate, Khagaria.

5. The petitioners and other co-accused persons



opened firing on victim's house with intention to kill her. On retaliation when informant started firing, they fled away.

6. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that there is no specific overt act against the petitioner and only on the basis of mere suspicion the petitioners has been made accused in the present case. The petitioners no. 1 and 2 have one criminal antecedent as mentioned in para-3 of the bail application.

7. Learned APP for the State and learned counsel for the victim opposed the prayer for anticipatory bail and submitted that prior to the occurrence, the husband of the victim was killed by the cousin of the petitioners.

8. Considering the facts and circumstances of case, I am not inclined to enlarge the petitioners on anticipatory bail. The prayer for anticipatory bail of the petitioners is hereby rejected.

(Anjani Kumar Sharan, J)

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