

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36790 of 2023

Arising Out of PS. Case No.-257 Year-2022 Thana- CHHAURADANO District- East
Champaran

1. AKASH PRASAD YADAV @ AKASH YADAV SON OF ROBIN YADAV
RESIDENT OF VILLAGE KORAIYA, PS MAHUAWA, DISTRICT- EAST
CHAMPARAN
2. AJAY YADAV SON OF RAMASHISH RESIDENT OF VILLAGE
KORAIYA, PS MAHUAWA, DISTRICT- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 44575 of 2023

Arising Out of PS. Case No.-257 Year-2022 Thana- CHHAURADANO District- East
Champaran

RANJAN PRASAD YADAV @ RANJAN KUMAR son of Ram Vishwash
Ray @ Ram Vishwash Yadav Village- Koraiya Ps- Mahuwawa Dist- E.
Champaran Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 36790 of 2023)

For the Petitioner/s : Mr.Abhishek Kumar, Adv.

For the Opposite Party/s : Mr.Md. Matloob Rab, APP

For the Informant : Mr.Rahul Singh, Adv.

(In CRIMINAL MISCELLANEOUS No. 44575 of 2023)

For the Petitioner/s : Mr.Rajesh Kumar, Adv.

For the Opposite Party/s : Mr.Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 11-09-2023 As both these cases arises out of the same police station
case number, they are being taken up and heard together and are
being disposed of by this common order.



2. Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

3. Petitioners apprehend their arrest in connection with Chhauradano (Mahuawa O.P.) P.S. Case No.257 of 2022, registered for the offence punishable u/s 302, 34 of the IPC, 27 of the Arms Act.

4. As per the prosecution case, the son of the informant has been shot dead by the F.I.R. named accused persons including the petitioners.

5. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case merely on suspicion. No such occurrence, in the manner as alleged, has ever taken place. There is no specific overt act against the petitioners nor there is any eye-witness to the alleged occurrence. Petitioner Akash Prasad Yadav @ Akash Yadav has no criminal antecedent, petitioner Ajay Yadav has two criminal antecedent and petitioner Ranjan Prasad Yadav @ Ranjan Kumar has no criminal antecedent.

6. Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail by submitting that the petitioners are also involved in the present case. Statement of



the brother of the deceased was recorded before the police, in which, he has supported the prosecution case.

7. Having regard to the facts and circumstances of the case and considering the nature of allegation, I am not inclined to enlarge the petitioners on bail. The prayer for grant of anticipatory bail on their behalf is hereby rejected.

8. Both these applications are accordingly dismissed.

9. However, petitioners are at liberty to surrender before the learned court below within a period of six weeks from today and seek regular bail and the learned Court below would pass order, preferably, on the same day, in accordance with law.

(Anjani Kumar Sharan, J)

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