

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52232 of 2022**

Arising Out of PS. Case No.-60 Year-2019 Thana- CHANDRAMANDI District- Jamui

RAJESH YADAV

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwari

For the Opposite Party/s : Mr. Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

4 25-01-2023 Heard Mr. Sanjay Kumar Tiwari, learned counsel for the petitioner and Mr. Jharkhandi Upadhyay, learned A.P.P. for the State.

This second anticipatory bail application has been filed by the petitioner for grant of anticipatory bail in connection with Chandramandih P.S. Case No. 60 of 2019 registered for the offence punishable under Section 302, 201, 120(B) and 34 of the Indian Penal Code.

The Officer-in-Charge of the Chandramandih Police Station, Jamui is present in the Court along with the case diary. He has taken this Court to the latest position of the case through the case diary.



In view of the recent judgment of the Supreme Court in the case of ***G.R. Ananda Babu Vs. State of Tamil Nadu and another reported in 2021 SCC OnLine SC 176***, second anticipatory bail application is not maintainable but considering the fact that one co-accused has already been granted anticipatory bail, this application has been heard.

It has come during investigation that the petitioner and his brother are involved in the killing of their mother for property. It has been submitted by the learned A.P.P. that the custodial interrogation of the petitioner is necessary for further investigating the case and the police has prayed for issuance of warrant of arrest before the S.D.J.M., Jamui.

The S.D.J.M., Jamui is directed to consider and dispose of the application of the investigating agency for issuance of warrant of arrest against the accused persons of the case at the earliest and not to keep it pending.

In case the Investigating Officer prays for police remand of any of the accused persons of the case the S.D.J.M., Jamui will pass necessary orders, in accordance with law, at the earliest.

With the aforesaid observation and direction, this application is dismissed.



Let a copy of this order be communicated to the District Judge, Jamui through FAX and e-Mail for necessary action.

(Sandeep Kumar, J)

Vikas/Sunny

U			
---	--	--	--

