

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57791 of 2022

Arising Out of PS. Case No.-165 Year-2020 Thana- ALOULI District- Khagaria

MALAKH YADAV S/o Chandi Lal Yadav @ Chadilal Yadav R/o village-
Aura (Ora), P.S.- Alauli, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarbottam Kumar Sarkar

For the Opposite Party/s : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-01-2023 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner is apprehending his arrest in connection with
Alauli P.S. Case No.165 of 2020, registered for the offence
punishable u/s 302, 307, 504/34 IPC and 27 of Arms Act.

Allegedly, the petitioner is said to have fired upon the
brother of informant due to which he died in the way to hospital.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has not committed any offence.
He has been falsely implicated in this case due to ulterior
motive. It is submitted that one of the co-accused was facing
trial in Trial No.225/2021, in which the witnesses have turned
hostile. No incriminating article or blood stain has been found
from the place of occurrence. Petitioner has no criminal



antecedent.

Learned APP for the State opposed the prayer for bail by submitting that petitioner is the main assailant and it is clear from the F.I.R. that there is a direct allegation against him.

Considering the aforesaid facts and circumstances, 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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