

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54712 of 2022

Arising Out of PS. Case No.-16 Year-2022 Thana- BHARGAMA District- Araria

SUBHASH YADAV @ SUBHASH KUMAR YADAV S/o Naresh Yadav R/o
village- Tamua, P.S.- Jadia, District- Supaul (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anand Prakash

For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 20-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 394 and 402 of the Indian Penal Code and Section 27 of the Arms Act pending in the learned court below.

As per the prosecution case, petitioner along with other co-accused persons committed murder of informant's son by fire shots in course of committing loot by culprits. When the deceased after withdrawing money from his CSP the culprits riding on two motorcycles intercepted him and at the point of pistol and has looted cash away.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. He further submits that petitioner has been made accused on the basis of the one of the co-accused Anil Yadav who was apprehended by the Police. He submits that there is no any incriminating articles has been recovered from the conscious possession of the petitioner. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the nature of the offence, I am not inclined to enlarge the petitioner on bail in connection with Bhargama P.S. Case No.16/2022. Accordingly, his application for anticipatory bail is hereby rejected.

However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seeks regular bail, the learned Court below would pass the order, preferably, on the same day, without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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