

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61703 of 2022

Arising Out of PS. Case No.-154 Year-2020 Thana- GAMAHARIYA District- Madhepura

GANESH YADAV Son of Late Ram Narayan Yadav R/o vill.- Rupoli Tola
Singyon, P.S.- Gamharia, District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Mr. Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-05-2023 Heard the parties.

The petitioner apprehend his arrest in connection with Gamharia P.S. Case No.154 of 2020, registered for the offence punishable under Sections 302, 120(B)/34 of the Indian Penal Code and 27 of Arms Act.

The allegation against the petitioner is that he is involved in the murder of the husband of the informant.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that there was a dispute relating to land between the deceased and co-accused Anshu Yadav and



the petitioner has no concern with him. He further submits that the petitioner is aged about 80 years and he is a leprosy patient. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail and submits that the petitioner is also involved in the murder of the deceased by means of fire arms.

Having regard to the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seek for regular bail, the learned Court below shall pass the order on the same day in accordance with law, considering the fact that the petitioner is aged about 80 years and is handicapped.

This application is accordingly, disposed of.

(Anjani Kumar Sharan, J)

shikha/-

U		T	
---	--	---	--

