

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71262 of 2022

Arising Out of PS. Case No.-232 Year-2022 Thana- BAIRIYA District- West Champaran

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PRADEEP YADAV @ AMIT YADAV @ AMIT KUMAR Son of Madan
Yadav Resident of Village - Kargahiya Mamadar Tola, P.S.- Kalibagh O.P.,
District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-03-2023 Heard the parties.

The petitioner apprehend his arrest in connection with
Bairiya P.S. Case No.232 of 2022, registered for the offence
punishable under Sections 341, 323, 307, 302, 120B/34 of the
Indian Penal Code.

Allegedly, co-accused Aarif Mian went to the house of the
informant and took informant's son and brother alongwith him.
The son of the informant returned in injured condition and fell
near the house of one Raju's maternal aunt. The son of the
informant told him that the co-accused Bhola Kumar and the
petitioner stabbed him with knife and they also stabbed the
informant's brother. The son of the informant was admitted to
hospital for treatment while the informant's brother died at the



spot.

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 co-accused Bhola Kumar was apprehended by the police and he confessed that he stabbed the deceased by means of knife. Petitioner has two criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case as well as from the perusal of FIR, there is specific overt act against the petitioner, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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