

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5848 of 2024

Arising Out of PS. Case No.-64 Year-2023 Thana- JAYRAMPUR District- Sheikhpura

Dularchand Yadav Son Of Late Lagan Yadav Resident Of Village- Maira, Ps-
Katri Sarai, Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Adv.

For the Opposite Party/s : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 21-08-2024 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The petitioner apprehends his arrest in connection with
Jairampur P.S. Case No. 64 of 2023 registered under Sections
302/34 of the Indian Penal Code and Section 27 of the Arms
Act.

3. As per prosecution case, on 01.09.2023, brother-in-law
of informant's brother namely Saroj Yadav had called the
informant's brother at Teus village on the occasion of birthday.
Dularchand Yadav and Mukesh Tanti had also come to that
village. It was the birthday of Mukesh Tanti's daughter. During
the night dance and song program, at around 2 o'clock,
Dularchand Yadav and Mukesh Tanti started firing. Meanwhile,
the bullet of Dularchand Yadav's pistol hit the forehead of the
informant's brother, due to which he got injured and fell down.



While being taken to Patna for treatment, he died on the way.

4. Submission of learned counsel for the petitioner that it is co-accused Mukesh Kumar who started firing on the occasion of birthday party, and during firing, informant's brother sustained gun shot injury on his forehead. The name of the petitioner has come due to monetary dispute. Allegation against this petitioner is general and omnibus.

5. Learned A.P.P. appearing on behalf of the State vehemently opposed the prayer for bail by contending that petitioner is named in the F.I.R. There is specific allegation against this petitioner that he made firing, due to which the bullet of his pistol hit the forehead of informant's brother, as a result of which, he died. It is further contended that petitioner has got three criminal antecedents. Hence, he does not deserve to be enlarged on anticipatory bail.

6. Having considered the nature of accusation and the gravity of offence as criminal history of the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, prayer for bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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