

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.7214 of 2024

Arising Out of PS. Case No.-359 Year-2022 Thana- MOUZA HIDPUR District- Bhagalpur

Sujeet Yadav @ Raj Kumar Son of Lakshmikanth Yadav @ Tando Yadav R/o
Kutubganj, P.S - Babarganj, Distt. - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madan Mohan
For the Opposite Party/s : Mr. Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 2 22-02-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Mojahidpur (Babarganj) Police Station Case No. 359 of 2022, dated 20.09.2022, disclosing offences under Sections 341/307/302/120B/34 of the Indian Penal Code and Section 27 of the Arms Act.
3. The prosecution case, as per the First Information Report, is that on 19.09.2022, in the evening, while the informant was returning on his motorcycle and was near the house of Bachhu Yadav, the petitioner, alongwith other accused persons, surrounded the father of the informant with his



Scorpio vehicle and co-accused Ajit Kumar @ Karku Yadav fired upon the informant's father. Thereafter, the co-accused Amar Yadav and other accused persons, having fire arms, fired upon the informant's father and when the informant raised alarm, all the accused persons started indiscriminate firing and fled away.

4. Learned Counsel for the petitioner submits that the petitioner has been made accused alongwith his family members due to political rivalry. He next submits that from perusal of the First Information Report, it would be evident that the petitioner has not fired upon the deceased rather the co-accused Ajit Yadav @ Karku Yadav has fired upon the deceased.
5. I have heard learned counsel for the parties and have gone through the materials available on record.
6. From perusal of the impugned order, it appears that the proceeding under Section 82 and 83 of the Code of Criminal Procedure has been initiated and has also been executed against the petitioner by learned Trial Court and allegation against the petitioner is serious in nature that he, alongwith other accused persons, killed the informant's father, accordingly, I am not inclined to grant



anticipatory bail to the petitioner.

7. This application is, accordingly, rejected.

(Anil Kumar Sinha, J)

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