

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12291 of 2024

Arising Out of PS. Case No.-192 Year-2023 Thana- SHEKHPURA District- Sheikhpura

=====

RAMESH YADAV @ RAMESH KUMAR Son of Ram Balak Yadav @ Balak
Yadav Resident of Village-Pathlapur, P.S.-Sheikhpura, District-Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Dr. Anjani Pd. Singh

For the Opposite Party/s : Mr. Kalyan Shankar

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 12-03-2024 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 Sheikhpura Police Station Case No. 192 of 2023, dated
01.04.2023, disclosing offences under Sections 302/34 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 01.04.2023, while the informant was returning,
alongwith his brother and sister, from the court, the
petitioner, alongwith other accused persons, total 14 in
numbers, were hiding behind a double storey building. No
sooner the informant, alongwith his brother and sister,
crossed the railway gate than the co-accused Sharda Devi



pulled the informant on the ground and Nandan Yadav fired upon the informant's brother, namely, Fudan Yadav. Subsequently, the co-accused Awadesh Yadav fired in the mouth of the informant's brother and co-accused Sonu Yadav also fired, which hit below the chest of the informant's brother-deceased. All the other accused persons surrounded the deceased till his death.

4. Learned Counsel for the petitioner submits that altogether 14 persons have been made accused due to previous enmity between the parties and specific allegation of firing is upon three accused persons namely, Nandan Yadav, Awadesh Yadav and Sonu Yadav. Learned counsel further submits that the petitioner has deposed against the informant and his brother in Sessions Trial No. 101 of 2022, due to which he has been made accused in the present case. No overt act has been alleged against the petitioner and he is not the assailant of the deceased as per the First Information Report.
5. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that no overt has been alleged against the petitioner and petitioner is not the assailant , I am inclined to grant the



petitioner privilege of anticipatory bail.

- 6. This application is, accordingly, allowed.
- 7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheikhpura, in connection with Sheikhpura Police Station Case No. 192 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

ashwani/-

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

