

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10727 of 2024

Arising Out of PS. Case No.-356 Year-2023 Thana- JOGAPATTI District- West Champaran

Ramashish Yadav Son of late Biga Yadav Resident of Village-Chaumukha,
P.S.-Yogapatti, Distt.-West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 18-04-2024 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Yogapatti P.S. Case No. 356 of 2023 for the offence under Sections 302 and 34 of the I.P.C. lodged on 03.08.2023 by the informant, Umesh Yadav.

3. As per the prosecution story, the informant alleged that he had seen his son Deepak Kumar going with Ramchhatri Yadav on motorcycle. Later, as he did not return, they conducted search and on the next day, they came to know about his killing. He has reasoned the killing due to the land dispute with the accused persons and accordingly, the FIR. Subsequently, the Police took up the investigation and those arrested made confession, incorporated in para-39 of the case diary, according to which, a panchayat was held earlier, the ‘*panch*’ asked the



opposite party to handover the land to Umesh Yadav which was not acceptable to the accused persons including this petitioner and later, they conspired that if any family member of Umesh Yadav was killed, they will automatically stop coming to the land, allowing them to to-let it till eternity.

4. Though learned counsel for the petitioner tried to impress upon this Court that his name has not come in the FIR and there is no eye-witness, the informant has given a motive, the investigation subsequently also supported the said motive and the reason has been assigned in para-39 of the case diary.

5. In that background, no case for anticipatory bail is made out.

6. Cr. Misc. No. 10727 of 2024 stands rejected.

7. If, however, the petitioner surrenders within a period of four weeks from today, the Court concerned shall take up the matter and dispose of the same preferably on the same day.

(Rajiv Roy, J)

Adnan/-

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