

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24403 of 2024

Arising Out of PS. Case No.-167 Year-2021 Thana- SINGHESHWAR District- Madhepura

Vimlelsh Yadav @ Vimlesh Kumar Son of Umesh Yadav Resident of Village-
Katiya Police Station- Singheshwar District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 20-07-2024 Heard Mr. Uday Chand Prasad, learned counsel for
the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Singheshwar P.S. Case No. 167 of 2021 instituted under Sections 147, 148, 149, 341, 323, 324, 325, 307, 427, 384 of the Indian Penal Code and Section 27 of Arms Act lodged on 15.07.2021 by the informant, namely Malti Devi.

3. As per the prosecution story, the informant alleged that the accused persons armed variously attacked the informant side and allegation against the petitioner is that he opened fire which did not hit the informant side. Prabhash, Subhash and Ram Chandra gave injuries to the 'dewar' of the informant and further allegation against Pawan Yadav is that he gave 'dabia' blow to the father-in-law of the informant.



4. Learned counsel for the petitioner made strong submission on behalf of the petitioner stating that an allegation of opening fire is there, no injury report is part of the record.

5. Per contra, learned APP submits that the fact reveals in the F.I.R. that there is allegation of opening fire, the said F.I.R. is of 2021. The other co-accused persons knocked the door of Court and got relief. The petitioner chose to stay away for three years.

6. This Court finds force in the submission of learned APP for the State. Not only there is allegation of opening fire against this petitioner, he deliberately waited for three years before filing anticipatory bail.

7. In that background, it would be appropriate that he seeks bail. Accordingly, the anticipatory bail application stands rejected.

8. In case, if the petitioner prays for bail after surrendering within four weeks from today, the same shall be taken up and disposed of preferably on the same day.

(Rajiv Roy, J)

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