

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31199 of 2024

Arising Out of PS. Case No.-1015 Year-2010 Thana- COMPLAINT CASE District- Banka

1. Puran Yadav @ Pawan Yadav Son of Late Mahavir Yadav Resident of Village- Nimhar, P.S.- Belhar, District- Banka
2. Tarni Yadav Son of Manshi Yadav Resident of Village- Nimhar, P.S.- Belhar, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners : Mr. Brij Nandan Prasad, Advocate
For the State : Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 01-07-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 302 and 34 of the Indian Penal Code.

3. As per prosecution case, it is alleged that on 29.08.2018, deceased Ranjeet Yadav, along with Shrikant Yadav and Pradeep Yadav, went near dam for taking bath, in the meantime, these petitioners, along with 5 to 6 unknown persons, came there and Petitioner No. 1 inflicted knife blow in the eye of the deceased and thereafter, all the accused persons strangled him, due which he died.

4. It is submitted by learned counsel appearing on



behalf of the petitioners that informant is not an eyewitness of the alleged occurrence and F.I.R. has been lodged only on the basis of hearsay statement of Shrikant Yadav and Pradeep Yadav. It is further submitted that these petitioners have been falsely implicated in this case due to village politics. Allegation of assault is general and omnibus. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners and submitted that these two petitioners, along with 5 to 6 unknown persons, stabbed Ranjeet Yadav and strangled him to death. It is further submitted that in the *post mortem* report, the doctor has found nasal angle bleeding upon right eye of the deceased caused by hard and blunt substance. The injuries found by the doctor goes to show that the deceased was killed.

6. Considering the aforesaid facts and circumstances and nature of accusation, the prayer for grant of anticipatory bail to the petitioners is rejected.

(Prabhat Kumar Singh, J)

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