

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32513 of 2024

Arising Out of PS. Case No.-234 Year-2023 Thana- RAGHOPUR District- Supaul

Brahmadeo Yadav Son of Sukal Yadav Village -Koriyapatti Ward No 06
Devipur PS- Raghopur District- Supaul

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Murari Narain Chaudhary, Advocate Mr. Vijay Kumar, Advocate
For the State	:	Mr. Ram Sewak Chaudhary, APP
For the Informant	:	Mr. Kamal Kishore Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 26-07-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Raghopur P.S. Case No. 234 of 2023 registered for the offences punishable under Sections 147, 148, 149, 302, 307, 323, 324, 341, 504 and 506 of the Indian Penal Code. He has got no criminal antecedent.

3. As per the prosecution story, Shakindeo Yadav and this petitioner had assaulted the informant and his family members by means of a *dabiya* and rod. Co-accused Santosh Kumar and Neeraj Kumar had assaulted Kapildeo Yadav who later on succumbed to his injuries and died.

4. Learned counsel for the petitioner submits that

Shakindeo Yadav has been granted privilege of regular bail by this Court in Cr. Misc. No. 83906 of 2023.

5. Learned counsel for the informant submits that there is a specific allegation of causing assault upon the informant by this petitioner and in the said occurrence, son of the informant has been killed, therefore in these materials, the petitioner would not deserve privilege of anticipatory bail.

6. Having regard to the aforesaid submissions, on finding that as per prosecution story this petitioner has actively participated in the occurrence in which he had assaulted the informant and the son of the informant was also killed in the said occurrence, this Court is not inclined to grant privilege of pre-arrest bail to the petitioner. Prayer is refused.

7. In case, the petitioner surrenders and prays for regular bail in the learned court below within a period of four weeks from today, the same shall be considered on its own merit without being prejudiced by order of this Court.

(Rajeev Ranjan Prasad, J)

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