

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35849 of 2024

Arising Out of PS. Case No.-190 Year-2023 Thana- BHARGAMA District- Araria

Niranjan @ Amit Yadav @ Niranjan Kumar, Son of Jaleshwar Yadav, R/o
Raghunadhpur Uttar, P.S.- Bhargama, Dist.- Arariya, Bihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Pintu Kumar Patel, Advocate
For the Opposite Party/s	:	Mr.Jitendra Kumar Singh, APP
For the informant	:	Mr. Bijendra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 10-07-2024 Heard learned Counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner is apprehending arrest in a case registered on 16.07.2023 for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 325, 326, 307, 302, 504, 506, 120B of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution, the FIR has been lodged against 17 named accused and 7-8 unknown accused persons including the petitioner alleging therein that all the accused persons variously armed came to the agricultural field of the informant and started assaulting the informant and others. It is specifically alleged against this petitioner that he made indiscriminate firing upon the elder brother of the informant



namely Chandramohan Yadav, as a result of which he died on the spot.

4. It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. In fact, no such occurrence took place, but in the background of an earlier land dispute, the present case has been lodged with frivolous allegations. Moreover, there is case and counter case between the parties as the petitioner side filed a complaint case bearing Complaint Case NO. 1635-C of 2023. The antecedent of the petitioner is clean but due to dirty village politics, he has been implicated falsely in the present case. He further submits that some of the co-accused have been granted bail by a co-ordinate Bench of this Court vide order date 02.04.2024 passed in Criminal Miscellaneous No. 16862 of 2024 and Criminal Miscellaneous No. 20663 of 2024.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. Learned counsel for the informant opposes the prayer for bail of the petitioner and submits that there is a specific allegation against the petitioner that he fired on the elder brother of the informant indiscriminately, as a result of which, he died at the spot.



7. In this background, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner in connection with Bhargama P.S. Case No. 190/2023, pending before the learned Judicial Magistrate 1st Class, Araria is hereby rejected.

(Dr. Anshuman, J)

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