

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40984 of 2024

Arising Out of PS. Case No.-327 Year-2022 Thana- KONCH District- Gaya

=====

Amit Kumar Yadav @ Amit Kumar S/O Suryamal Yadav R/O village
Sitalgarh, P.S.- Anti, district Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Durgesh Nandan, Advocate

For the Opposite Party/s : Ms. Sangeeta Sharma, APP

=====

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 06-09-2024 Heard learned counsel for the petitioner, learned APP

for the State and perused the case diary.

2. The petitioner apprehends arrest in Konch P.S. Case
No. 327 of 2022 registered under Sections 302, 201 and 34 of
the Indian Penal Code.

3. The prosecution case, in short, is that, the petitioner
called on the mobile of the brother of the informant and,
thereafter, he along with 4-5 unknown persons killed his brother
by strangulating his neck and, thereafter, cut his neck and threw
the same 7 KM away from his house near Amba canal.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Learned counsel for the petitioner also submits that
there is no specific allegation of assault, rather the specific
allegation levelled against the petitioner is that he called the



brother of the petitioner through mobile. It is further submitted that the dead body has been found on railway track. It is a matter of love affairs and deceased has committed suicide. The petitioner has got one criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP for the State further submits that there is specific allegation against petitioner that he called the brother of the informant through mobile and subsequently his dead body was found nearby Amba Canal. Hence, the petitioner does not deserve the privilege of anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case, nature and gravity of offence, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected. However, the petitioner is directed to surrender in the Court below and pray for regular bail. If any such application is filed, the Court below shall consider and dispose of the same on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

Rajorshi/-

U		T	
---	--	---	--

