

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39092 of 2024

Arising Out of PS. Case No.-10 Year-2024 Thana- JAGDISHPUR District- Bhojpur

Gadasi @ Dinesh Yadav @ Dinesh Singh S/o Dashai Yadav R/o Village-
Garha, P.S.- Udwantpur, Dist.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Adv.

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

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

ORAL ORDER

3 20-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State and perused the case diary.

2. The petitioner apprehends his arrest in connection with Jagdishpur P.S. Case No. 10 of 2024 registered for the offences punishable under Sections 302, 34, 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, the accusation against the accused persons including the petitioner is of being involved in commission of murder of the Informant's son.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case merely on the basis of suspicion. He further submits that there is



no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. He further submits that the petitioner has been made accused in this case on the basis of CCTV footage as well as on the basis of alleged self-statement of the co-accused Shekhar Kumar. There is no independent witness in the present case against the petitioner. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present anticipatory bail application.

5. Learned counsel for the petitioner further submits that the co-accused Shekhar Kumar has been granted regular bail by this Court vide order dated 26.07.2024 passed in Cr. Misc. No. 39437 of 2024.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner, stating that the offence alleged against the petitioner is serious in nature. The Informant in his re-statement has corroborated the statement made in the F.I.R. The witness in Para-8 has also supported the prosecution case. The witness Shekhar Kumar in his confessional statement has taken the name of the present petitioner to be involved in the commission of murder of the Informant's son.

7. Considering the entire facts and circumstances of



the case as also there being direct and specific allegation made against the petitioner, this Court is not inclined to grant bail to the petitioner.

8. Accordingly, the prayer for anticipatory bail of the petitioner, above named, is rejected. If the petitioner surrenders before the court below within a period of four weeks from today and prays for regular bail, the same would be considered by the court below in accordance with law without being prejudiced by the order of this Court.

(Rudra Prakash Mishra, J)

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