

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.41765 of 2024**

Arising Out of PS. Case No.-448 Year-2023 Thana- MALSALAMI District- Patna

Sanjeet Kumar Yadav @Dhela Gope @ Sanjeet Kumar S/O Diwali Rai R/O  
Mohalla-Patthar Ghat(Adrekh Ghat), P.S. Malsalami, Distt-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Raj Krishna Jha

For the Opposite Party/s : Mr.Arun Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      31-07-2024                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 302 of the Indian Penal Code and Section 27 of the Arms Act.

3. A dead body of a boy aged about 24 years was found from the place of occurrence and FIR was lodged against unknown.

4. Learned counsel for the petitioner submits that the petitioner is innocent, not named in the FIR and has been falsely implicated in this case. He submits that the informant is not an eye witness and only on the basis of C.C.T.V. footage petitioner has been made accused in this case in which three persons were seen boarded on a motorcycle with the deceased and the petitioner was also seen as pillion rider. Learned counsel



for the petitioner fairly submits that the bail application of the similarly situated co-accused has been rejected by this Court. He further submits that petitioner has one criminal antecedent as stated in para-3 of the bail application.

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

6. Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Malsalami P.S. Case No. 448 of 2023.

7. However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be considered by the learned court below on the same day without being prejudiced by this order.

**(Anjani Kumar Sharan, J)**

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