

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60406 of 2024

Arising Out of PS. Case No.-283 Year-2023 Thana- CHAUSA District- Madhepura

Ashok Yadav S/o- Bisho Yadav @ Bishundeo Yadav R/o Village-Dhuriya
Sautari Ward No 12 P.S.-Chausa District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-08-2024 Heard learned counsel for the petitioner and learned A.P.P.
for the State

2. The petitioner apprehends his arrest in Chausa P.S. Case No. 283 of 2023 registered for the offences punishable under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. While the informant was at her field along with other family members, all of a sudden the petitioner along with other co-accused variously armed reached there, started abusing and forbade from ploughing the field. On the orders of other co-accused, petitioner resorted firing from his fire-arms which hit the Sohni Kumari, who died on the spot.

4. It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely



implicated in this case. It is further submitted that there is land dispute between the parties. It is further submitted that there is no eye witness in the alleged occurrence and only on the basis of suspicion, the petitioner has been made accused due to previous enmity. The petitioner has three criminal antecedents as mentioned in para-3 of this application.

5. Learned APP for the State vehemently opposing the bail petition submitted that the petitioner shot dead the grand-daughter of the informant, hence he does not deserve bail.

6. Considering the facts and circumstances of case as well as the fact that the petitioner is the main assailant, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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