

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69246 of 2024

Arising Out of PS. Case No.-110 Year-2020 Thana- SONBERSHA RAJ District- Saharsa

Jawahar Yadav @ Jawahar Kumar Yadav Son of Ganga Yadav Village-
Rasalpur PS -Salkhua District -Saharsa Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Advocate
	:	Mr. Saket Kumar, Sr. Advocate
For the Opposite Party/s	:	Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 27-09-2024 Heard Mr. Krishna Prasad Singh, learned senior counsel appearing for the petitioner and Mr. Anil Kumar, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Sonbarsa Raj P.S. Case No. 110 of 2020 FIR dated 31.07.2020 registered for the offences punishable under Sections 307, 379, 341, 323, 324, 504, 506 and 34 of IPC and Section 27 of the Arms Act.

3. Seven accused persons are said to have indiscriminately fired upon the son of the informant due to which he received six gun shot injuries and one Umdad has also sustained gun shot injury.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the



petitioner has not committed any offence as alleged in the FIR and as per allegation in the FIR that on the order of the petitioner co-accused person, namely, Amit Yadav fired upon the informant's son, namely, Rana Yadav.

5. Learned A.P.P. for the State, on other other hand, has vehemently opposed the prayer for anticipatory bail of the petitioner and submits that the present anticipatory bail petition is not maintainable because the process under Section 82 Cr.P.C. has been issued against the petitioner on 25.12.2020 and process under Section 83 Cr. P.C. has also been issued against the petitioner on 23.01.2021 and *Kurki-zabti* has been conducted on the property of the petitioner on 26.02.2021.

6. Considering the aforesaid facts and processes under Sections 82 and 83 Cr.P.C. have been issued against the petitioner, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Sonbarsa Raj P.S. Case No. 110 of 2020 pending in the court of learned Judicial Magistrate-1st Class, Saharsa.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

Nitesh/-Harshita

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