

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70570 of 2023

Arising Out of PS. Case No.-225 Year-2023 Thana- ARIYARI District- Sheikhpura

SURENDRA YADAV Son of Late Jagdish Yadav Resident of Village -
Koriho, P.S. - Sheikhpura, District - Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sourendra Pandey
For the State	:	Mr. Rana Randhir Singh
For the Informant	:	Mr. Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 31-01-2024 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioner apprehends his arrest in Ariyari P.S.
Case No. 225 of 2023 registered for the offences punishable
under Section 302/34 of the Indian Penal Code pending in the
Court of learned A.C.J.M.1st, Sheikhpura.

3. As per the prosecution case, allegation against
the petitioner along with other co-accused persons is that they
have killed the husband of the informant by assaulting him.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. The allegation levelled against the petitioner is not
specific rather general and omnibus in nature. He submits that



there is no specific overt act against the petitioner. He further submits that there is land dispute between the parties. He also submits that the petitioner is 40% handicap person. The petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail and submitted that the postmortem report has supported the prosecution case that the deceased was killed by the accused persons including the petitioner. Hence, he does not deserve privilege of anticipatory bail.

6. Considering the facts and circumstances of case, nature of the offence, and the fact that the postmortem report has supported the prosecution case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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