

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69223 of 2023

Arising Out of PS. Case No.-161 Year-2022 Thana- PIRI BAZAR District- Lakhisarai

SRI YADAV Son of Late Brahamdev Yadav R/o vill - Lahsodwa, P.S. - Piri
Bazaar, Distt. - Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabi Bhushan, Adv.

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 29-01-2024 Heard learned counsel for the parties.

2. Petitioner is apprehending his arrest in connection with Piri Bazar P.S. Case No.161 of 2022, registered for the offence punishable u/s 302, 34 of the IPC.

3. Allegedly, the petitioner along with other accused persons are said to have murdered the father of the informant by inflicting injury on his head, neck, back and thigh.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence. He has been falsely implicated in this case merely on suspicion. There is no eye-witness to the alleged occurrence. There is general and omnibus allegation against all the accused persons including the petitioner. It is further submitted that there is an inordinate delay of two days in lodging the F.I.R., which itself



creates doubt about the prosecution case. Petitioner has no criminal antecedent, as mentioned in para-2 of the supplementary affidavit. It transpired in the case diary that petitioner has been made accused in one other case also, but in the said case, petitioner has been acquitted.

5. Learned APP for the State opposed the prayer for bail by submitting that the deceased has sustained seven injuries, which is clear from the postmortem report and it is evident that the petitioner is also involved in the present case.

6. Considering the aforesaid facts and circumstances and the nature of offence, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. This application is accordingly dismissed.

8. However, petitioner is at liberty to surrender before the learned Court below within a period of six weeks and seek regular bail and the learned Court below would pass order, preferably, on the same day, in accordance with law.

(Anjani Kumar Sharan, J)

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