

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75326 of 2023

Arising Out of PS. Case No.-81 Year-2023 Thana- GOGRI District- Khagaria

SANTOSH YADAV @ SANTOSH KUMAR S/O SANJAY YADAV
VILLAGE- BHURIYA, PS. GOGRI, DIST. KHAGARIA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh

For the Opposite Party/s : Dr. Mrityunjaya Kr.Gautam

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

5 19-04-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner has preferred this application for grant of anticipatory bail in connection with Gogri P.S. Case No. 81 of 2023, registered for the offences punishable under sections 302 & 34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the petitioner and the co-accused persons along with unknown miscreants holding weapons were standing. When the informant and her husband and children reached the house of Padarath Yadav, the co-accused Amar Yadav fired from rifle on the informant's husband which hit his chest. Thereafter, all the accused persons fired



indiscriminately. The informant's husband was smeared with blood and fell down. The informant along with children fled away to save their lives.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. The specific allegation of firing is against the co-accused Amar Yadav. The petitioner has three criminal antecedents in which he is on bail as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State as well as learned counsel for the informant have vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the allegation being general and omnibus against the petitioner, I am of the view that no case for grant of anticipatory bail is made out and the same is disposed of with direction to the petitioner to surrender before the Court below concerned within six weeks from the date of this order and the prayer for regular bail, the learned Court below shall consider his prayer for regular bail on the same day without being prejudiced by this order.



7. The application stands rejected.

(Chandra Prakash Singh, J)

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