

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77083 of 2023

Arising Out of PS. Case No.-389 Year-2023 Thana- BIHPUR District- Bhagalpur

Ashish Kumar @ Ashish Yadav Son Of Babu lal Yadav @ Bablu Yadav
Resident of village - Sahpur, Police Station - Bihpur (Bhawanipur), District
-Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Advocate

For the Opposite Party/s : Mr.Arun Kumar Pandey, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 05-03-2024 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offence punishable under sections 396, 397, 398 and 302 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, all the FIR named accused persons and 3 to 4 unknown miscreants, variously armed, attacked the Customer Service Point (CSP), they snatched bag containing cash from the CSP operator. Accused persons also made firing in which husband of the informant died on the spot, whereas CSP operator sustained injury on his hand.

4. Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Petitioner is not named in the FIR. He submits that on 15/07/23 the informant had filed a protest



petition in this case and named seven accused persons and at serial no-4 again named Ashish Yadav son of Pappu Yadav, whereas petitioner is Ashish Yadav son of Bablu Yadav. Petitioner claims clean antecedent.

5. Learned counsel for the State opposes the prayer for bail. He submits that there is allegation against the petitioner and other accused persons that they committed armed dacoity in broad daylight on the CSP, looted cash collection and also made firing causing death of informant’s husband.

6. Considering the nature and gravity of allegation, prayer for bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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