

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8853 of 2025

Arising Out of PS. Case No.-186 Year-2017 Thana- DARAUNDA District- Siwan

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Dinesh Lal Yadav @ Lali yadav @ Dinesh Kumar Yadav @ Dinesh Yadav S/o
Late Kedar Yadav Resident of vill - Chainpur, PS- Siswan (Chainpur) , Dist-
Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumari Anupam, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

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

ORAL ORDER

2 09-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Daraudna P.S Case No. 186 of 2017 dated 16.10.2017 registered for the offence punishable u/ss 302 read with Section 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, on 16.10.2017 at about 4:30 PM, the informant along with his elder uncle came to Hasanpura Bazar riding on a motorcycle, after marketing they were returning to his house, in the meantime, near PACS godown at Jalalpur, the petitioner along with other co-accused persons stopped the informant and the co-accused persons



Nanhe Yadav and Lali Yadav pointed pistol on the informant and his elder uncle. When the informant tried to flee, then the co-accused Kalyan Yadav fired on the informant but he was saved, whereas the co-accused, Lali Yadav and Nanhe Yadav armed with pistols fired on the elder uncle of the informant due to which he died on the spot.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is previous enmity between the parties. It is further submitted that during investigation, no any witnesses have supported the prosecution case. There is no specific allegation of firing against the petitioner. The petitioner has no concern with the alleged occurrence. The petitioner is also accused in 35 criminal cases out of which he has been acquitted in 31 cases as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner by submitting that the specific allegation of firing on the informant's elder uncle is against the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the specific and heinous nature of allegation against the petitioner, I am of the view that no case



for grant of anticipatory bail is made out. The petition is rejected and the petitioner is directed to surrender to the Court below within six weeks from the date of this order and the Court below shall consider the prayer of the bail of the petitioner on the same day without being prejudice by this order.

7. This application is rejected.

(Chandra Prakash Singh, J)

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