

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61589 of 2024

Arising Out of PS. Case No.-31 Year-2024 Thana- LADANIA District- Madhubani

Ghuran Yadav @ Shambhu Yadav S/o Rameshwar Yadav R/o vill - Aurahi,
P.S. - Babubarhi, Distt. - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 63549 of 2024

Arising Out of PS. Case No.-31 Year-2024 Thana- LADANIA District- Madhubani

Vikash Kumar Yadav @ Vikash Kumar @ Vikash Son of Late Mahesh Prasad
Yadav @ Mahesh Yadav Village- Sidhapkala Ps- Ladania Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 63919 of 2024

Arising Out of PS. Case No.-31 Year-2024 Thana- LADANIA District- Madhubani

Sonu kumar @ Sonu Kumar Yadav Son of Deo Kumar Yadav R/o Village-
Sidhapkala, P.S.- Ladaniya, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 61589 of 2024)
For the Petitioner/s : Mr. Saroj Kumar, Advocate
For the Opposite Party/s : Mr. Bharat Bhusan, APP
(In CRIMINAL MISCELLANEOUS No. 63549 of 2024)
For the Petitioner/s : Mr. Saroj Kumar, Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP
(In CRIMINAL MISCELLANEOUS No. 63919 of 2024)
For the Petitioner/s : Mr. Ravi Prakash, Advocate
Mr. Gagandeo Yadav, Advocate
Mr. Udeshya Kumar Yadav, Advocate
For the Opposite Party/s : Mrs. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 14-02-2025 Heard Mr. Suraj Narayan Yadav, learned counsel

 appearing on behalf of the petitioner Mr. Md. Sowhan Asgar for

 the informant, Mr. Bharat Bhusan for the State (Cr. Misc No.



61589 of 2024) Mr. Jitendra Kumar Singh for the State (Cr.Misc No. 63549 of 2024) as also Mrs. Anita Kumari.

2. The petitioner is apprehending his arrest in connection with Ladania P.S. Case No. 31 of 2024 registered for the offences under sections 302/34 of the Indian Penal Code and section 27 of the Arms Act lodged on 13.02.2024 by the informant, Kamini Kumari.

3. It is the contention of the learned counsel for the petitioners that the occurrence is of 12.02.2024 while the FIR was lodged a day later. Ghuran Yadav is not named in the FIR and subsequently, the names have cropped up in the case diary. There is no eye witness to the occurrence and only because they were seen having escaped from the place of occurrence, implicated. They also have previous enmity with the informant side and in that background, they deserve relief.

4. In this case, case diary was called for which is on record. Mr. Jitendra Kumar Singh, learned APP has taken this Court straight away to paragraph no.2 of the supplementary case diary to show that the Police after the investigation has found enough materials against the named/unnamed accused persons (the petitioners herein) under section 302/34 of the Indian Penal Code and section 27 of the Arms Act. He has further drawn



attention of this Court to the observation that against all these petitioners, processes were already issued on 04.05.2024 showing them as absconders.

5. Having gone through facts of the case and the submissions of the parties and perusing their record, from the case diary, it is clear that the role of these petitioners have come in course of investigation, the murder of a School Teacher has taken place, the allegation is that the accused opened fire which pierced the head of the informant's husband causing his death.

6. As pointed out by the learned APP the processes have already been issued showing them as absconders on 04.05.2024. In that background and when they are accused in case of murder under section 302/ 34 of the IPC with section 27 of the Arms Act, it would be appropriate that they seek bail.

7. Accordingly, the anticipatory bail applications of the three accused/petitioners stand rejected.

(Rajiv Roy, J)

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