

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2192 of 2015

Arising Out of PS.Case No. -79 Year- 2013 Thana -BITHAN BAZAR District- SAMASTIPUR

Barku Yadav, Son of Ram Swarath Yadav, Resident of Village - Larjha,
Police Station - Bithan District - Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance:

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 19-01-2015

Heard both sides.

The petitioner, Barku Yadav, is apprehending his arrest in Bithan P.S. Case No. 79/2013 registered under Section 307 and other sections of the Indian Penal Code and Section 27 of the Arms Act.

The informant made allegation that six named accused persons and other unknown persons including the petitioner came at the shop of his son Pankaj Yadav and enquired about him and thereafter his son began to flee away. The accused persons made firing.

Learned counsel for the petitioner submits that one of the accused, namely, Anil Yadav lodged Bithan P.S. Case No. 68/2010 against Pankaj Yadav, the son of the informant. Pankaj Yadav and the informant were pressurizing Anil Yadav and others

to compromise the case. In fact, no specific allegation is made against the petitioner; much less the firing.

It appears that the name of the petitioner figured in the case, but no specific allegation is made against him. Bithan P.S. Case No. 68/2010 was registered under Section 302 I.P.C. by Anil Yadav against Pankaj Yadav, the son of the informant, much prior to the present case.

Considering the facts aforesaid, let the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, be released on anticipatory bail on furnishing bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Rosera at Samastipur in Bithan P.S. Case No. 79/2013, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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