

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27729 of 2015

Arising Out of PS.Case No. -148 Year- 2015 Thana -LAHERIASARAI District- DARBHANGA

1. Baijnath Yadav @ Baidnath Yadav Son of Late Sukhdeo Yadav
Resident of village - Ruhallaganj, Kaidrabad, P.S. LNMU, District -
Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Chandra

For the Opposite Party/s : Mr. Dr. Rabindra Kumar (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 30-09-2015 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case
instituted under Sections 147,148,149, 341,323, 337, 338,307 and
120(B) of the Indian Penal Code.

The prosecution story, in brief, is that on
08.04.2015 at about 3.45 P.M. the husband of the informant,
Manoj Kumar Singh(deceased), was found on the road in front of
Darbhanga Jail lying in a pool of blood and surrounded by several
police personnel, this information the informant had received from
one Amrendra Kumar Singh, Chachera Devar and her own brother
Prabhat Kumar Singh. It is further alleged that she has got
suspicion and doubt due to rivalry between Bus Agents and also
Bus Stand at Delhi More and the accused Lal Bihari Yadav from



inside the jail set up Ram Balak Yadav, Ramashish Yadav and Baidyanath Yadav(petitioner) of Kadirabad, Babloo Singh of village- Makhahi along with 10-15 other unknown well armed with common intention to do away the life of her husband attempted to commit murder and due to assault her husband was badly injured and considering her husband to be dead left him on the road and all fled away.

It has been submitted on behalf of the petitioner that the petitioner has been falsely implicated in the present case. From perusal of FIR itself it would appear that the petitioner has been made accused merely on the basis of suspicion. There is no eye witness to the occurrence. From perusal of case diary it appears that there is no circumstantial evidence to suggest the implication of the petitioner in the present case. The reason for suspicion is that there was some dispute in respect of Agent of the Bus Stand .

On behalf of the State, it has been submitted that the petitioner is named in the FIR.

Considering the aforesaid facts, let the above named petitioner, in the event of his arrest or surrender in the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the

like amount each to the satisfaction of learned C.J.M., Darbhanga
in connection with Laheriasarai P.S.case No.148 of 2015, subject
to the conditions as laid down u/s 438(2) Cr.P.C.

(Sudhir Singh, J)

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