

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55358 of 2015

Arising Out of PS.Case No. -258 Year- 2013 Thana -NAUGACHIA District- BHAGALPUR

Prakash Yadav S/o Jagdambi Yadav, resident of Village- Dhobiniya, P.S.-
Naugachhia, District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Yadav

For the Opposite Party/s : Mr. Ram Bachan Singh (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 14-12-2015

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Sections
302/34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case is of killing the
brother of the informant. The petitioner was not named in the
FIR. His name subsequently sprang up during investigation on
the basis of the information supplied by spy of the village.

It is submitted by learned counsel for the
petitioner that in the FIR specific overt act has been alleged
against Md. Tamanna, Md. Babul, Md. Nihal and 2-3 unknown.

Considering the suspicious nature of accusation similarly situated co-accused Girolal Yadav and Sonelal yadav has been granted anticipatory bail vide Cr. Misc. No. 10763 of 2015 by a co-ordinate Bench of this Court.

A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Naugachia, District - Bhagalpur in connection with Naugachia P.S. Case No. 258 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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