

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2192 of 2016

Arising Out of PS.Case No. -219 Year- 2014 Thana -JAGDISHPUR District- BHAGALPUR

Bhairo Yadav Son of Late Sidhu Yadav, Resident of Village -
Kolanarayanpur, P.S. - Jagdishpur, District - Bhagalpur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Janki Nandan Prasad, Advocate
For the informant : Mr. Anupa Nand Jha, Adv.
For the State : Smt. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

3 19-01-2016 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the informant.

The petitioner seeks pre-arrest bail in connection with
Jagdishpur P. S. Case No. 219 of 2014 registered under Sections
147, 148, 149, 341, 323, 324, 307 and 504 of the Indian Penal
Code.

It is contended that the informant is an eye witness to
the occurrence. In the FIR, he has named 10 accused persons,
who had participated in the alleged occurrence. The name of the
petitioner does not find place in the FIR. In course of
investigation, at a belated stage, his name transpired in the
supervision note of the Dy.SP. It is further contended that

several accused named in the FIR have already been granted anticipatory bail by a co-ordinate Bench of this Court.

On the other hand, learned counsel for the informant has vehemently opposed the application for grant of anticipatory bail to the petitioner. He has submitted that during investigation, it has transpired that it was the petitioner at whose instance the accused persons had assaulted the informant and others.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender before the court below within six weeks from today, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in Jagdishpur P. S. Case No. 219 of 2014, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

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