

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52740 of 2017

Arising Out of PS.Case No. -321 Year- 2017 Thana -PIRBAHOR District- PATNA

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MANOJ YADAV @ MANOJ KUMAR YADAV @ MANOJ KUMAR,
son of Lal Babu Prasad @ Lallu Yadav, resident of Makhaniakuan, Babu
Tola, P.S.-Pirbahore, District-Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 07-11-2017

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Pirbahore P.S.**

Case No.321 of 2017 instituted for the offence under Section(s)
147, 149, 302 Indian Penal Code.

It has been submitted that petitioner is son of
landlord, Lallu Yadav. Some altercation took place between son
of the Informant, Bablu Kumar, with tenant of Lallu Yadav,
namely, Kumesh Kumar and others for parking of Scooty. It is
alleged that thereafter this petitioner and other accused persons,
as named in the written report, forcibly dragged the son of the
Informant and assaulted him on account of which he died.

Post mortem report has been annexed as Annexure-
3, wherein, the doctor has not found any external injury over the



body. Various viscera have been preserved for its chemical examination.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with **Pirbahore P.S. Case No.321 of 2017**, he shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Chief Judicial Magistrate, Patna**, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions: (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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