

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51656 of 2017

Arising Out of PS.Case No. -57 Year- 2017 Thana -GOPALPUR District- BHAGALPUR

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1. Gawaskar Kumar Yadav @ Gawaskar Kumar S/o Madan Yadav, R/o
Village- Kamala Kund, Babu Tola, P.S.- Goalpur, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Yadav, Adv.

For the Opposite Party/s : Mr. Sri Asharaf Ansari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 12-12-2017 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Gopalpur Police Station Case No. 57 of 2017, disclosing
offences under Sections 302/34 of the Indian Penal Code and
Section 27 of the Arms Act.

Learned counsel for the petitioner has submitted that
there is general and omnibus allegation against this petitioner
and no specific overt act is attributed to him. The specific
allegation of killing the informant is attributed to co-accused
Sachin Yadav, which is evident from paragraph 3 and 10 of the
case diary. Moreover, neither any witness has disclosed anything
about the involvement of the petitioner nor any cogent material



has come against this petitioner during course of investigation.

Hence, the petitioner deserves the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within six 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 Additional Chief Judicial Magistrate, Naugachia, Bhagalpur, in connection with Gopalpur Police Station Case No. 57 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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