

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52597 of 2018

Arising Out of PS. Case No.-364 Year-2017 Thana- BIHARIGANJ District- Madhepura

Chandeshwari Yadav, Son of Late Jageshwar Yadav, resident of Village-
Hathioundha, P.S.- Bihariganj, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh

For the Opposite Party/s : Mr. Sri Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-09-2018 Heard learned counsel for the petitioner and learned
APP for the State.

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

The prosecution case, in short, is that in the backdrop of land dispute, the accused persons including the petitioner conspired and co-accused fired upon the deceased.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The main allegation is against co-accused Subhash Yadav and Santosh Yadav who are alleged to have fired upon the deceased. So far as the petitioner and others are concerned,



general and omnibus allegation has been levelled against them. The other similar situated co-accused namely Ambika Yadav has been granted anticipatory bail by a coordinate Bench of this Court vide order dated 03.07.2018 passed in Cr. Misc. No. 38611 of 2018.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Abhimanyu Kumar, Judicial Magistrate, 1st Class, Madhepura in connection with Bihariganj P.S. Case No. 364/2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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