

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63342 of 2017

Arising Out of PS. Case No.-429 Year-2015 Thana- BARAUNI District- Begusarai

Divakar Yadav @ Divakar Kumar @ Diwakar Kumar, Son of Rambilash @
Rambilash Yadav, Resident of Village- Bariyahi, Simaria, Ward No.10, P.S.-
Barauni (Chakia O.P.), District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Kumar, Advocate

For the Opposite Party/s : Mr. Sri Ataur Rahman (APP)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 05-02-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection
with Barauni (Chakia O.P.) P.S. Case No. 429 of 2015,
registered for the offences punishable under Sections 144, 149,
152, 153, 290, 353 of the Indian Penal Code.

Allegedly, villagers had assembled on road and
were making protest against the murder of Prabhat Kumar @
Bablu Yadav and further they assaulted the police and also
blocked the road, after arrival of senior police officials and
public representative, blockage of road was removed.

Submission is of false implication and that there is
no specific allegation against the petitioner. Similarly situated



other co-accused namely Sanjeev Kuamr and others have been allowed pre-arrest bail vide Cr. Misc. No. 32247 of 2016 whereas Bablu Yadav and Others have been allowed pre-arrest bail vide Cr. Misc. No. 46610 of 2016 by another co-ordinate bench of this court and the case of the petitioner is on similar footing and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. fairly submits that other similarly situated co-accused have been allowed pre-arrest bail.

In the facts and circumstances as stated above, the petitioner in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall 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 C.J.M., Begusarai, in connection with Barauni (Chakia O.P.) P.S. Case No. 429 of 2015, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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