

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17234 of 2018

Arising Out of PS.Case No. -277 Year- 2016 Thana -TRIVENIGANJ District- SUPAUL

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Khagesh Yadav Son of Saini Yadav Resident of Village Tituaha Ward No. 13, P.S. Triveniganj, District- Supaul.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal

For the Opposite Party/s : Mr. Nirmal Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 12-04-2018 Heard the learned counsel for the petitioner as well as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Triveniganj P.S. Case No. 277 of 2016 for the offences punishable under sections 302, 120 B and 34 of the I.P.C and section 27 of the Arms Act.

Allegedly, due to past enmity the brother of the informant was surrounded by seven FIR named accused persons and two unknown and Abhimanyu Yadav shot the brother of the informant causing his death. The occurrence is said to have been witnessed by one Rajesh Yadav who was coming to that way and he disclosed the name of the accused persons including the petitioner to the informant.



Submission is of false implication and that the allegation of firing is against Abhimanyu Yadav and not against the petitioner, there is admitted dispute between the parties, similarly situated otherl co-accused, namely, Surya Narayan Yadav has been allowed pre-arrest bail by order dated 01.02.2018 passed in Cr. Misc. No. 4317 of 2018, vide Annexure-3, and further Bikash Kumar @ Bikash Yadav has also been allowed pre-arrest bail vide Cr. Misc. No. 12112 of 2018 and as such the petitioner deserves sympathetic consideration.

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

In the facts and circumstances stated above, the petitioner, in case of his arrest or surrender within a period of 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 C.J.M, Supaul in connection with the aforementioned case, subject to the condition as laid down under section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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