

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53480 of 2018

Arising Out of PS. Case No.-252 Year-2016 Thana- KATORIYA District- Banka

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Biran Yadav @ Birendra Yadav, Son of Late Lutan Marik, Resident of
Village- Laharniya, Police Station- Suiya, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 03-12-2018 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.

The prosecution case, in brief, is that the dead body of
father of the informant was found lying at Bulaki Jore.

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
petitioner has been falsely implicated in the present case. From
perusal of paragraphs-45, 46 & 47 of the case diary, it appears
that a suspicion has been raised against the petitioner. Except for
suspicion, there is no other substantive evidence to suggest the
implication of the petitioner in the present case. There is no eye



witness to the alleged occurrence.

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

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 learned Additional Chief Judicial Magistrate-I, Banka in connection with Katoria (Suiya) P.S. Case No. 252 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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