

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36985 of 2018

Arising Out of PS. Case No.-514 Year-2017 Thana- GOGRI District- Khagaria

Lalo Yadav @ Lalo Kumar S/o Rudal Yadav, R/o vill.- Morkahi (Baba Tola),
P.S.- Muffasil, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam
For the Opposite Party/s : Mr. Sri Rajkishore Singh

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 31-07-2018 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner apprehends his arrest in Gogri P.S. case no. 514
of 2017 instituted for the offence under Section(s) 302/34 of
the Indian Penal Code.

Learned counsel for the petitioner has submitted that he
is not named in the F.I.R. The informant has categorically stated
that Angaj Yadav, Nutan Devi and Mukesh Yadav and other
unknown persons have murdered his brother-in-law, namely
Kampu Yadav @ Pankay Yadav by cutting the neck by means of
Dabia. The name of this petitioner has surfaced during
investigation in the statement of Simpy Kumari recorded under
Section 164 Cr. P.C. who happens to be daughter of the Kampu
Yadav @ Pankaj Yadav wherein she has stated that all the FIR



named person including this petitioner have killed her father.

Learned counsel for the petitioner has submitted that statement of the girl was recorded on 13.12.2017 and prior to that none of the witness has taken the name of this petitioner. The girl has stated that she has seen this petitioner assaulting her father with Dabia on the head but no such injury was found in the inquest report of the doctor.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Gogri P.S. case no. 514 of 2017, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the CJM, Khagaria, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions:(1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of



the case, in that case, prosecution will be at liberty to move for
cancellation of bail of the petitioner.

(Sanjay Priya, J)

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