

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7045 of 2019

Arising Out of PS. Case No.-100 Year-2018 Thana- NATHNAGAR District- Bhagalpur

Lambodar Yadav @ Lambodar Kumar Yadav, aged about 23 years (Male),
Son of Anandi Yadav, Resident of Village- Golahu, P.S- Madhusudanpur,
Distt.-Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indeshwari Prasad Mandal

For the Opposite Party/s : Mr.Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 07-02-2019 Heard learned counsels for the petitioner and the
State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 147, 148, 149 and
307 of the IPC and Section 27 of the Arms Act.

The prosecution case, as per the fardbeyan of Sitaram
Yadav, recorded by A.S.I., Pramod Kumar on 20.02.2018 at
Jawaharlal Nehru Medical College Hospital, Bhagalpur is to the
effect that on the same day at 5 P.M., the informant was going to
his village home, Golahu from Bhagalpur Court along with his
brother, Pappu Yadav, but as soon as they reached near Jarav
Baba Asthan, then all the accused persons including the
petitioner surrounded them when on the order of co-accused



Subhash Yadav, co-accused, Ramesh Yadav resorted to fire with country made pistol causing injury on the right side of the abdomen of the informant.

It is submitted by learned counsel for the petitioner that specific accusation of firing has been levelled only against co-accused Ramesh Yadav. The accusation against the petitioner is omnibus and general. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent. It is further submitted that similarly situated co-accused persons have been granted bail by a co-ordinate Bench of this Court, vide order dated 09.07.2018, passed in Cr. Misc. No. 39472 of 2018.

Learned APP submits that the petitioner is named in the FIR.

Considering the fact that accusation of firing has not been alleged against the petitioner and similarly situated accused persons have been granted bail by a co-ordinate Bench of this Court, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from



today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-1st, Bhagalpur in connection with Nath Nagar (Madhusudanpur) P.S. Case No. 100 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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