

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16293 of 2019

Arising Out of PS. Case No.-132 Year-2014 Thana- BELDOUR District- Khagaria

BHUPENDRA KUMAR @ BHUPENDRA PANJIYAR Son of Ratan Yadav
Resident of Village and Post - Mali, P.S.- Beldaur, Distt.- Khagaria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha
For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 25-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 302/34 IPC and Section 27 of the Arms Act registered in connection with Beldaur P.S. Case No. 132 of 2014, G.R. No. 1665 of 2014.

3. It is submitted that the petitioner has been falsely implicated and the specific accusation of firing upon the deceased is on co-accused Dilip Panjiyar and Pramod Yadav. Accusation against the petitioner is general and omnibus in nature and no assault has been assigned to him. The petitioner is the Sarpanch and had been implicated earlier in Beldaur P.S. Case No. 77 of 1999, at the instance of the Indradeo Yadav, the then Mukhiya and in which case the petitioner had been acquitted. Except the said case the petitioner claims clean antecedents. Similarly situated co-accused Narsing Narayan Yadav @ Narsingh Narayan Yadav @ Narsingh Yadav and Dharmendra Yadav have been granted anticipatory bail by this Court in Cr. Misc. No.



13231 of 2019.

4. Learned APP assisted by learned counsel appearing for the informant opposes the anticipatory bail petition.

5. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Miss Simmi Kujjur, learned Judicial Magistrate Ist Class, Khagaria, in connection with Beldaur P.S. Case No. 132 of 2014 subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

i. That one of the bailors shall be a close relative of the petitioner.

ii. That the petitioner shall not indulge in any similar offence till conclusion of the trial.

iii. That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

iv. The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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