

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55833 of 2019

Arising Out of PS. Case No.-59 Year-2018 Thana- GHOGHARDIHA District- Madhubani

PRAHLAD YADAV @ PRAHLAD KUMAR, aged about 20 years, Male,
Son of Laxmi Narayan Yadav @ Laxmi Narayan Manjhi, Resident of Village
- Balwa Lalganj, P.S. - Supaul, District - Supaul.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Gagan Deo Yadav, Advocate.

For the Opposite Party : Mr.Damodar Prasad Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-11-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 302/34 of the IPC and 27
of the Arms Act.

The prosecution story, in brief, is that the informant
learned from the Chaukidar of Supaul Police Station on his
Mobile that his son has been shot dead.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent.
There is no allegation of tampering with the witnesses alleged
against the petitioner. The petitioner has falsely been implicated
in the present case. There is no eye witness to the alleged



occurrence. The petitioner is not named in the F.I.R. His name has come in the present case in course of investigation. Except for suspicion, there is no other substantive evidence to suggest the implication of the petitioner in the present case. There is no circumstantial evidence to suggest the participation of the petitioner in the alleged occurrence.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or 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 the learned S.D.J.M. Jhanjharpur, Madhubani, in connection with Ghoghardiha P.S. Case No. 59 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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