

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61588 of 2019

Arising Out of PS. Case No.-24 Year-2019 Thana- BHAWANIPUR District- Purnia

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KUNDAN YADAV @ KUNDAN KUMAR YADAV Son of Dholo Yadav @
Dhirendra Yadav Resident of Village - Dadra, P.S.- Gwalpara, Dist.-
Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha
For the Opposite Party/s : Mr.Md. Ataur Rahman

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 19-11-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 302, 201,
120B of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case is that on 24.02.2019 at about
7.45am ASI Raj Kumar Rajak received information of dead
body of unknown person at Raipura Pull under the bridge and
F.I.R. was registered against unknown person and during
investigation accused Govind Mandal made confessional
statement and narrated the oral episode of occurrence in his
confessional statement other co-accused were arrested and the



investigation remain pending against the petitioner.

Learned counsel for the petitioner submits that the petitioner is not named in the FIR rather FIR is against unknown person and the name of the petitioner has been implicated by the co-accused Govind Mandal with ulterior motive in this confessional statement and there is no evidence against the petitioner to connect in the case and the confessional statement made by the co-accused Govind Mandal has no relevance and the name of the petitioner is involved because Govind Mandal wanted to keep the Peti of liquor at the residence of petitioner, which the petitioner protested, so the name of the petitioner is involved by the Govind Mandal in his confessional statement. Learned counsel for the petitioner further submits that the petitioner has no criminal antecedent, there is no eye witness in this case and charge sheet has already been submitted.

In the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Purnia in connection with Bhawanipur Police



Station Case No. 24 of 2019, subject to the conditions as laid
down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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