IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65109 of 2019

Arising Out of PS. Case No.-57 Year-2014 Thana- SAKATPUR District- Darbhanga

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Mukesh Yadav, male, aged about 23 years, Son of Sri Ram Sakal Yadav Resident of Village - Raja Kharbar, P.S.- Sakatpur, Distt - Darbhanga.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Durga Nand Jha, Adv.
For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 24-10-2019 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The petitioner apprehends his arrest in connection with Sakatpur P.S. Case No. 57 of 2014 registered under sections 447, 323, 324, 341, 307, 504, 506, 379 and 34 of the IPC.

The allegation against the petitioner is that the petitioner along with other family members assaulted the informant with farsa and another weapon.

Mr. Durga Nand Jha, learned counsel appearing for the petitioner submits that petitioner has falsely been implicated in this case due to previous enmity. Learned counsel further submits that no overt act has been alleged against the petitioner in the first information report. Learned counsel referring to

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Annexure-3 submits that the police after investigation submitted final form and did not send the petitioner for trial. However, learned Magistrate differed with the police report and took cognizance against the petitioner on 09.07.2018.

Having regard to the submissions made by the parties and taking into consideration the fact that the police after investigation submitted final form not sending the petitioner for trial, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, in the event of arrest or surrender before the learned Court below within a period of four weeks from today shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-4, Darbhanga, in connection with Sakatpur P.S. Case No. 57 of 2014, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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