

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84016 of 2019

Arising Out of PS. Case No.-156 Year-2019 Thana- KHARHAGPUR District- Munger

PRAKASH YADAV @ PRAKASH KUMAR YADAV Son of Late Tipan
Yadav Resident of Village/Muhalla - Baijula, P.S.- Jhajha, Distt - Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjiv Kumar Singh

For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-12-2019 Heard learned counsels for the parties.

The petitioners being brother in law of the cousin of the deceased are apprehending arrest in a case registered for the offences punishable under Sections 147,148,149,323,324,325 and 307 of the IPC and subsequently Section 302 of the IPC was also added vide order dated 10.6.2019.

It is alleged by the informant that on 14.5.2019, she came to know that her husband has been assaulted and is admitted in hospital. Subsequently, she went to hospital when her husband conveyed to her that he has been assaulted by his uncles Narayan Yadav, Kusho Yadav, Bishundeo Yadav and Nandlal Yadav and subsequently, he succumbed to the injuries. The FIR was lodged against them but after two and half months of the occurrence, the name of the petitioner sprang up during investigation.



It is submitted by learned counsel for the petitioners that the accusation against the petitioner has been levelled in the background of the land dispute and the same has also been recorded in the impugned order. Statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that the name of the petitioners surfaced during investigation.

Considering the fact that there is specific accusation against the FIR named accused persons, coupled with the fact that the petitioner is not having any criminal antecedent, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM, IV, Munger in connection with Kharagpur P.S. Case No. 156 of 2019 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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