

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 12085 of 2020

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Manu Yadav (Male), aged about 35 years, son of Late Chandradev Yadav, R/o- Tehta, P.S.
Khirimore, District Patna

.....
Petitioner

Versus

The State of Bihar

.....
Opposite party

Appearance

For the Petitioner/s : Mr. Ghanshyam Tiwary, Advocate

For the State : Mr. Pranav Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

3 28.08.2020 Heard learned counsel for the petitioner and learned A.P.P
for the State through video conferencing.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Khirimore P.S. Case No.95 of 2019, registered under sections 302, 201, 120B and 34 of the Indian Penal Code.

As per allegation in the F.I.R, it is stated by the informant that some altercation had taken place between his son and the F.I.R. named accused persons including the petitioner herein over his son deposing in a case with respect to theft of a vehicle. It is stated by the informant that the accused persons called his



son and thereafter killed him.

It is submitted by learned counsel for the petitioner that from reading of the F.I.R. itself it would transpire that so far as allegation made therein is concerned, at best, it can be stated to be a suspicion which has been raised against the petitioner and others. It is further submitted that neither the informant nor in course of investigation is there any eye witness to the alleged occurrence. The suspicion raised by the informant is not supported by any other material. The same is contradictory for the reason that if there had been dispute between the parties, the son of the informant would not have accompanied the accused persons. The petitioner has no criminal antecedent.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioner together with the material that has transpired in course of investigation and the petitioner having no criminal antecedent, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Khirimore P.S. Case No.95 of 2019, he will be enlarged on 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 Judicial Magistrate 1st Class, Danapur, Patna, subject to the conditions as laid down in section 438 (2) of Criminal Procedure Code.

(Partha Sarthy, J)

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