

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16691 of 2020

Arising Out of PS. Case No.-121 Year-2019 Thana- LADANIA District- Madhubani

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KUSHESWAR YADAV Son of Garbhu Yadav Resident of Village - Belahi,
P.S.- Ladaniya, District- Madhubani

... .. Petitioner/s

Versus

The State Of Bihar Through Its D. G. P., Police Head Quarter, Sardar Patel
Bhawan, Patna, Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shankar Ganguli

For the Opposite Party/s : Mr. Uday Chand Prasad

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-07-2020 This case has been heard through video conferencing.

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 147, 148,
149, 341, 323, 307, 353, 504 and 506 of the Indian Penal Code.

Prosecution case as lodged by the police personnel is
that on secret information that one dead body laying in village
Ladaniya at the bank of a river, they rushed into the said place
where they found that the family members of the deceased were
present there and they carried the dead body near the temple.
Later on they blocked the road. On persuasion the matter with



them, they became ready to clear the traffic on lodging a case against SSB Personnel. Thereafter, F.I.R. was lodged and the dead body was sent for postmortem but on instigation of one Ganesh Yadav, again vehicles were stopped in their way by a mob. It was further alleged that on the next day when a SSB sepoy arrived at the local village market he was assaulted with the help of number of fists and slaps but ultimately he was saved by the other colleagues.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the present case. He submits that there is no specific allegation against the petitioner and he was only a member of the mob. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

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.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M./C.J.M., Madhubani in connection with Ladaniya Police Station Case No. 121 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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