

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5171 of 2021

Arising Out of PS. Case No.-74 Year-2020 Thana- MANIGACHI District- Darbhanga

Choudhary Yadav S/O Shiv Sharan Yadav R/O Village Paika Tole, P.S-
Manigachhi (BAJITPUR O.P), District-Darbhangha.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash

For the Opposite Party/s : Mr. C. Jawawhar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-07-2021 Heard learned counsel for the petitioner and learned APP
for the State through virtual mode.

Learned counsel for the petitioner is directed to remove the defects, as pointed out by the Office, within a period of four weeks after restoration of normalcy.

The petitioner is apprehending his arrest in a case registered under Sections 147, 148, 149, 504,, 506, 302, 120(B) of the Indian Penal Code and 27 of the Arms Act.

The prosecution allegation, in short, is that while the informant was at his darwaja, the accused persons, variously armed, and shot fire at the brother-in-law of the informant due to which he died.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner



has falsely been implicated in the present case. Altogether, 26 persons are named in the F.I.R. The petitioner is said to be member of unlawful assembly. There is no allegation of assault alleged against the petitioner upon the deceased. The main allegation of assault is alleged against co-accused Kaushlendra Yadav.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances and also the lockdown, the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned A.C.J.M. -V, Darbhanga in connection with Manigachhi (Bajitpur O.P.) P.S. Case No. 74 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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