

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8736 of 2021

Arising Out of PS. Case No.-168 Year-2020 Thana- MADHUBAN District- East Champaran

MOTI LAL YADAV @ MOTI LAL RAI S/O SHANKAR RAY RESIDENT
OF VILLAGE - BANJARIA, P. S. - MADHUBAN, DISTRICT - EAST
CHAMPARAN

... .. Petitioner/s

Versus

1. The State of Bihar
2. THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeet Kumar

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-08-2021 Heard learned counsel for the petitioner and the State
through virtual mode.

Learned counsel for the petitioner is directed to
remove the defect(s), as pointed out by the office, within a
period of four weeks after restoration of normalcy.

The petitioner is apprehending his arrest in Madhuban
P.S. Case No. 168 of 2020 registered under Sections 302,
120(B) of the Indian Penal Code.

Allegedly, the informant's son was murdered by pressing
his neck and his dead body was hanged towards north of the
house in bamboo orchard.

It has been submitted on behalf of the petitioner that



there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been falsely implicated in the present case. The name of the petitioner has transpired in this case merely on the basis of suspicion. Except for suspicion, there is no other substantive evidence to suggest the implication of the petitioner in the present case. The other co-accused with similar allegation has been granted bail by a coordinate bench of this court vide order dated 10-08-2021 passed in Cr. Misc. No. 39203 of 2020.

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

Considering the aforesaid facts and circumstances of the case, let 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 Additional Chief Judicial Magistrate, Motihari, in connection with learned Additional Sessions Judge-XIII, East Champaran, Motihari, 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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