

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8688 of 2021

Arising Out of PS. Case No.-62 Year-2020 Thana- MAHARAJGANJ District- Siwan

GAUTAM YADAV S/o Vishwanath Yadav R/o village- Balaun, P.S.-
Maharajganj, Distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jai Prakash Verma

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 Maharajganj
P.S. Case No. 62 of 2020 registered under Section 302/34 of the
Indian Penal Code.

Allegedly, in the backdrop of petty feud in between
children of village, the accused persons caught hold of
informant's father and assaulted on his head with iron rod as a
result of which, he sustained grievous injury and fell on the
ground. The informant's father was taken to hospital for
treatment, but he succumbed to the injuries in the way itself.



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 been falsely implicated in the present case. The main allegation is against co-accused Pradeep Yadav, who is said to have given lathi blow on the head of the deceased. The postmortem report also corroborates the allegation against Pradeep Yadav. So far the petitioner is concerned, there is general and omnibus allegation against him. No specific overt act is alleged against the petitioner.

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-V, Siwan in connection with Maharajganj P.S. Case No. 62 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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