

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9897 of 2022

Arising Out of PS. Case No.-280 Year-2020 Thana- LAKHISARAI District- Lakhisarai

Bhawesh Yadav Son of Late Nardi Yadav Resident of Village - Kisanpur, P.s.-
Amhara, Distt.- Lakhisarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajnish Chandra

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 02-11-2022 Heard learned counsel for the petitioner and the State.

Petitioner apprehends arrest in a case registered for the offence punishable under Sections 302, 120(B), 34 of Indian Penal Code and Section 27 of Arms Act.

As per prosecution case, all the 12 named accused persons including this petitioner and 5-6 unknown persons surrounded the husband of the informant and one co-accused Birju Mandal fired on the his head as a result of which he fell down. Thereafter, all the accused persons including this petitioner made indiscriminate firing on the body of the husband of the informant.

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that specific accusation of firing is



against co-accused Birju Mandal and allegations made against this petitioner are general and omnibus. Moreover, similarly situated co-accused, Purushottam Kumar, has already been granted anticipatory bail by this Court in Cr. Misc. No. 5523 of 2021 vide order dated 21.01.2022. Petitioner has one criminal antecedent.

Considering the fact that co-accused, Purushottam Kumar, has already been granted bail by this Court, let the above named petitioner in the event of his arrest/surrender before the court below within a period of thirty days from the date of receipt/production of copy of this order, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Lakhisarai in Lakhisarai (Amhara) P. S. Case No. 280 of 2020, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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