

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30617 of 2021

Arising Out of PS. Case No.-14 Year-2020 Thana- ANTICHAK District- Bhagalpur

SANTOSH YADAV @ SANTOSH KUMAR YADAV Son of Chhakko Yadav
Resident of Village - Malakpur, P.S.- Antichak, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. J.N.Thakur

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 10-05-2022 The learned counsel for the petitioner is directed

to remove all the defects pointed out by the Stamp Reporter

within one month.

Heard the learned counsel for the petitioner and

learned APP for the State.

The petitioner apprehends his arrest for the

offences alleged under Sections 302, 201 and 506/34 of the

Indian Penal Code, registered in connection with Antichak

P.S.Case No. 14 of 2020.

The informant Arun Yadav got an information

from one Chotu Kumar that a dead-body was lying near the

boundary wall of Jagdish Sharma. He along with the persons

named in the FIR went there and found that it was the dead-



body of his son Sonu Kumar Yadav. It has been mentioned in the *fardbeyan* that the deceased Sonu Kumar Yadav had gone to the matrimonial house of his sister Dolly Kumari on the occasion of birth anniversary of her son. In the same night he returned and at about 10.00 p.m. he reached at his *Darwaza*. The informant expressed his firm belief that 11 accused persons named in the FIR had complicity in the alleged crime, whereas the accused persons named at serial nos. 1 to 3 had some disputes with the deceased in relation to transaction of money.

The learned counsel for the petitioner has submitted that altogether 11 persons have been named in the FIR and the petitioner is not amongst them. The informant has not expressed his suspicion against the present petitioner.

The learned APP has submitted that in paragraph nos. 101, 102 and 109 of the case diary, the witnesses have also mentioned the name of the present petitioner along with other co-accused persons, to which the learned counsel for the petitioner has replied that those witnesses are not the eye-witnesses and they themselves have stated that they are hearsay witnesses.

The petitioner is not named in the FIR and he is the person of clean antecedents.



Considering the above facts and circumstances, let the petitioner above-named, in the event of his arrest or surrender within four weeks from the date of communication of this order, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-XIV, Bhagalpur in connection with Antichak P.S.Case No. 14 of 2020, subject to the conditions as laid down under Section 438(2) Cr. P.C.

Office shall ensure that all defects are removed by the petitioner within the stipulated time as provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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