

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24582 of 2022

Arising Out of PS. Case No.-449 Year-2021 Thana- CHHATAUNI District- East Champaran

JITENDRA KUMAR YADAV @ JITENDRA KUMAR RAY @ JITENDRA
KUMAR S/o Late Rajdeo Yadav Resident of Belwa ghat, P.S.- Piprahi,
District- Sheohar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jainendra Kumar Pushkar
For the Opposite Party/s : Mr.Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 13-09-2022 At the outset, learned counsel for the petitioner has filed supplementary affidavit in Court today stating therein that in the first paragraph of the bail petition, instead of ‘anticipatory bail’ ‘regular bail’ has been mentioned. It is also submitted that in the prayer portion of the bail petition, the name of the court has wrongly been mentioned as ‘CJM, East Champaran at Motihari’ instead of ‘Judicial Magistrate, 1st Class, East Champaran at Motihari’.

Let the supplementary affidavit filed by learned counsel for the petitioner be kept on record. The word ‘regular’ in the first paragraph of the bail petition should be read as ‘anticipatory’. In the prayer portion also the name of the Court should be read as ‘Judicial Magistrate, 1st Class, East Champaran at Motihari’ in place of ‘CJM, East Champaran at



Motihari’.

Heard learned counsel for the parties.

The petitioner apprehends his arrest in connection with Chhatauni P.S. Case No.449 of 2021, registered for the offences punishable under Sections 302, 324, 307, 120(B) and 34 of the Indian Penal Code.

It is alleged that the petitioner and co-accused, Sanjay Yadav under criminal conspiracy with each other have committed murder of son of the informant.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner has got one criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that no specific overt act is alleged against the petitioner. The allegations are general and omnibus. It is submitted that the specific allegation is against Sanjay Yadav. It is further submitted that some local students joined with the musical party and started misbehaving them. When they were objected by the Barat party, the outsiders became angry and started assaulting the Barat party with knife resulting into the death of son of the informant.

Learned APP for the State opposed the prayer for



anticipatory bail of the petitioner.

Considering the fact that there is general and omnibus allegation against the petitioner, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, East Champaran at Motihari in connection with Chhatauni P.S. Case No.449 of 2021, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J.)

Sanjay/-

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