

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26723 of 2020

Arising Out of PS. Case No.-9 Year-2020 Thana- BALIYA District- Begusarai

MAHENDRA YADAV Son of Late Anik Yadav Resident of Village -
Phulwariya, Ward No. 7, P.S.- Baliya, District - Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Ranjan, Advocate

For the Opposite Party/s : Mrs. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 02-03-2022 Heard learned counsel for the petitioner and learned APP
for the State.

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

The petitioner is apprehending his arrest in a case
registered under Sections 302, 201, 120(B) and 34 of the Indian
Penal Code.

The prosecution allegation, in short, is that the accused
persons including the petitioner committed murder of his son and
removed his dead body.

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 falsely been implicated in the present
case. The petitioner and the deceased are agnates. Prior to the



institution of the present case, vide Annexure-2 to the present application, a case was instituted against the deceased of the present case where it was alleged that the deceased of the present case had committed murder of the husband of his *shali*. The motive was that there was a love affairs between the deceased of the present case and his *shali*. So far present case is concerned, the informant is not an eye witness to the manner of the occurrence nor any specific overt act is alleged against him. Among the agnates, there is property dispute pending in the Court below.

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

Considering the aforesaid facts and circumstances, 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 furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Ballia P.S. Case No. 9/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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