

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36514 of 2022

Arising Out of PS. Case No.-50 Year-2020 Thana- SINGHESHWAR District- Madhepura

1. MISHRI LAL YADAV S/o Late Harinandan Yadav Resident of Village- Satokhar, P.S.- Singheshwar, District- Madhepura.
2. Shailendra Yadav S/o Mishri Lal Yadav Resident of Village- Satokhar, Police Station- Singheshwar, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Sanjay Kumar Singh,Adv.

For the Opposite Party/s : Mr.Pranav Kumar,APP

Mr.D.P.Verma,Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 17-11-2022 At the outset, learned counsel for the petitioners seeks permission to withdraw this anticipatory bail petition so far as petitioner no. 1 namely Mishri Lal Yadav is concerned.

Permission is accorded. The anticipatory bail petition, in respect of petitioner no. 1, stands dismissed as withdrawn.

The petitioner no. 2 (now sole petitioner) apprehends his arrest in a case registered for the offence under Sections 302, 120(B), 34 of the Indian Penal Code.

The prosecution case, in short, is that while the informant alongwith his family members was on the way, the F.I.R. named accused persons including petitioners assaulted



them, due to which, they sustained injuries and due to assault, in the said occurrence, the mother of the informant succumbed to the injury.

It is submitted on behalf of petitioner that there is general and omnibus allegation against this petitioner. Specific allegation of overt act is against other co-accused persons. Police after investigation submitted final form. Similarly situated some of the co-accused persons have already been granted bail by this Court. Petitioner has got clean antecedent.

However, learned A.P.P. for the State and learned counsel for the informant vehemently opposed the prayer for anticipatory bail and submitted that petitioner is named in the F.I.R. and he has also participated in the said occurrence and as such, he does not deserve bail.

Considering the rival submissions of the parties and the fact that there is general and omnibus allegation against petitioner no. 2 and similarly situated co-accused persons have already been granted bail, in the event of arrest/surrender within a period of six weeks from today, let petitioner no. 2 namely Shailendra Yadav 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 learned Judicial Magistrate 1st Class,



Madhepura in connection with Singheshwar P.S. Case No. 50
of 2020, subject to condition as laid down under Section 438(2)
of the Code of Criminal Procedure.

This application is, accordingly, disposed of.

(Prabhat Kumar Singh, J)

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