

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61524 of 2021

Arising Out of PS. Case No.-186 Year-2021 Thana- KHAIRA District- Jamui

Kapil Yadav @ Kapildeo Yadav S/O Late Jagdish Yadav Resident Of Village-
Kageshwar (Kagesar), P.S.- Khaira, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bharat Lal

For the Opposite Party/s : Mr.Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-07-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to
remove the defects within three weeks. In the eventuality of
non-removal of defects within undertaken period, the office will
place the matter before the Bench.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 147, 148,
149, 323, 326, 307, 302 and 504 of the Indian Penal Code and
Section 27 of the Arms Act.

Petitioner is the order giver.

It is submitted by learned counsel for the
petitioner that petitioner is innocent and has been falsely
implicated in this case. He submits that there is no specific overt
act against the petitioner. He submits that similarly situated co-



accused has already been granted bail by a Bench of this Court vide order dated 15.06.2022 passed in Cr. Misc. No. 64408 of 2021. He submits that there is no specific overt act against the petitioner except order giver, therefore, offence under Section 307 and 302 IPC is not applicable against him. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case, the above named petitioner 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 the learned court below where the case is pending/successor court in connection with Khaira P.S. Case No. 186 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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