

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65264 of 2022

Arising Out of PS. Case No.-112 Year-2022 Thana- BASOPATTI District- Madhubani

1. LALOO YADAV @ LALOO LUMAR YADAV S/o Maheshwar Yadav R/v-
Madhiya, P.S.- Basopatti, District- Madhubani
2. SURYA NARAYAN YADAV @ SURYA NATH YADAV S/o Maheshwar
Yadav R/v- Madhiya, P.S.- Basopatti, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-12-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 302, 201, 120(B) of the Indian Penal Code under Section 27 of the Arms Act.

Learned counsel for the petitioners submits that petitioner no.1 has antecedent of one case and petitioner no.2 has antecedent of two cases and the informant alleges that his son was shot dead by unknown accused.

Learned counsel for the petitioners submits that FIR is against unknown and the name of the petitioners transpired



during the course of investigation when on disclosure made by the spy the petitioners were apprehended, it is next submitted that during the course of investigation it has also come that petitioners had dispute with the deceased about one and a half years back and as such for that reason the deceased was killed.

Learned counsel for the petitioners next submits that petitioners have been falsely implicated in the present case, it is also submitted that the purpose of arrest is not to punish, but to ensure that investigation is not hampered in any manner, it is thus submitted that petitioners will co-operate in the investigation and will present themselves before the Investigating Officer as and when called for so that the truth comes out and even the petitioners may be able to take their defence in their favour.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount



each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Basopatti P.S. Case No. 112 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Further, in the event, if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving assurance to this Court that he will co-operate in the investigation or are not presenting themselves when called for, the learned trial court after giving an opportunity of hearing to the petitioners shall pass orders in accordance with law and shall also be at liberty to cancel their bail bonds of the petitioners and to ensure that they are behind bars. Further, if after investigation the charge-sheet is submitted against the petitioners connecting them with the offence, then in that event the present anticipatory bail order shall loose its effect.

The learned trial court is directed to send a copy of this order to the concerned Police Station.

(Satyavrat Verma, J)

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