

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4118 of 2023

Arising Out of PS. Case No.-294 Year-2021 Thana- HATHUA District- Gopalganj

UPENDRA YADAV S/o Lalan Yadav R/o Village- Gambhirpur, P.S.- Nautan,
Distt- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikash Kumar Shukla

For the Opposite Party/s : Mr. Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 15-05-2023 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, in brief, is that on the alleged date and time of occurrence, informant's brother had gone with the owner of house (Nandeshwar Sah) to see *Chhath Parva*. On 12.11.2021 at about 3:00 PM informant received an information that his brother has been shot dead. Informant suspects that co-accused Nandeshwar Sah committed the murder of his brother.

Petitioner is not named in the F.I.R. Name of the petitioner has surfaced in this case merely on the confessional statement of co-accused Nandeshwar Sah, who has already been granted regular bail by this Cour, vide order dated 25.05.2022 passed in Cr.Misc. No. 17253 of 2022. Similarly situated co-accused Vyas Yadav has also been granted anticipatory bail by a



coordinate Bench of this Court, vide order dated 11.04.2023 passed in Cr.Misc. No. 57565 of 2022.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

Considering the aforesaid facts and circumstances, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner 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 A.C.J.M. - 14th, Gopalganj in connection with Hathua P.S. Case No. 294 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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