

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15137 of 2023**

Arising Out of PS. Case No.-781 Year-2022 Thana- KHAGARIA District- Khagaria

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Suman Yadav @ Suman Kumar S/O Late Bishundeo Prasad Yadav @
Bishundeo Yadav Resident Of Village- Nanhaku Mandal Tola, P.S.- Muffasil,
District- Khagaria (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Singh

For the Opposite Party/s : Mr.Umanath Mishra

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 22-06-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 302, 328,
120B, 34 of the Indian Penal Code.

Petitioner along with other accused persons are said to
have committed murder of the father of the informant by
administering him poison.

Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case due to land dispute. He submits that there is no specific
overt act against the petitioner and only on the basis of
suspicion, he has been made accused in this case. He submits
that in the entire case diary there is no evidence against the



petitioner. 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 and submits that there are sufficient materials available in the case diary against the petitioner, therefore, this is not a fit case to grant anticipatory bail to the petitioner.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Khagaria P.S. Case No. 781 of 2022.

However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be considered by the learned court below on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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