

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24063 of 2023

Arising Out of PS. Case No.-183 Year-2022 Thana- NAYA RAM NAGAR District- Munger

DIWAKAR YADAV @ DIWAKAR KUMAR YADAV @ DIWAKAR
KUMAR S/O DHANESHWAR YADAV R/O VILLAGE/MUHALLA - BAG
NAULAKHA, P.S - NAYA-RAM-NAGAR, DISTT. - MUNGER.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjiv Kumar Singh, Advocate

For the Opposite Party/s : Mr. Binod Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-06-2023 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 302, 120(B) and 201/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner is a person with clean antecedent.

The informant alleges that on 28.09.2022 Prabhakar Yadav and Sudhakar Yadav came and took her husband on a bike but her husband did not return and on the next day his dead body was found near a pond. It is further alleged that the aforesaid accused persons were pressurizing the deceased to part with the vehicle (Scorpio) which he had purchased.

Learned counsel for the petitioner submits that petitioner is not named in the FIR and is the guarantor of the Scorpio vehicle



which was purchased by the deceased on loan from Mahindra Finance. It is further submitted that the petitioner came to be implicated merely because he is own brother of Prabhakar Yadav and Sudhakar Yadav. It is next submitted that the informant in the FIR did not even remotely raised any suspicion against the petitioner. It is also submitted that the date of occurrence is 29.09.2022 and the FIR came to be instituted on 02.10.2022 without any plausible explanation.

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

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten 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 Naya-Ram-Nagar P.S. Case No. 183 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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