

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26604 of 2023

Arising Out of PS. Case No.-335 Year-2019 Thana- JHAJHA District- Jamui

KARU YADAV @ BAHADUR YADAV Son of Late Kali Yadav Resident of
village - Belatanr, P.S. - Jhajha, Distt. - Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Raj, Advocate
For the Opposite Party/s : Mr. Binod Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 147, 148, 149, 447, 302 and 201 of the Indian Penal Code.

3. Prosecution case, in brief, is that on 11.11.2019 at about 11:30 am, all the F.I.R. named accused persons came at the house of the informant and asked to open the door wherein Shubhash Kumar (son of the informant) opened the door whereupon the alleged persons dragged him outside the house. It is alleged that when the informant came outside, he saw all the accused persons, armed with various weapons, were assaulting his son. It is further alleged that co-accused Sajjan Yadav and Prem Yadav were holding the legs, co-accused Ganesh Yadav and Rohan Yadav were holding the head and



hands and co-accused Nandu Yadav was slitting the neck of his son. When the informant shouted, other accused persons including the petitioner rushed towards him to kill him, however, the informant escaped.

4. Learned counsel for the petitioner submits that it is manifest from the F.I.R. that petitioner is not the assailant of the deceased. He is only alleged to have chased the informant. There is no allegation of assault against the petitioner and specific allegation of assault is against co-accused Nandu Yadav.

5. Considering the facts and circumstances of the case and nature of accusation, this anticipatory bail is allowed and it is ordered that the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, 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 Chief Judicial Magistrate, Jamui in connection with Jhajha P. S. Case No. 335 of 2019, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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