

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40431 of 2023

Arising Out of PS. Case No.-58 Year-2022 Thana- TIKAPATTI District- Purnia

SONU YADAV @ SONU KUMAR @ CHHOTU Son of Shambhu Sharan
Yadav Resident of village-Kheriya, Police Station-Kursela, District-Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suresh Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-08-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 147, 149,
323, 365 and 302 of the Indian Penal Code.

3. The informant alleges that his son has business
relation with Yogendra as he was dealing in Maize crop but
there was a business dispute between the two, thus on
11.07.2022, the accused persons named in the FIR with common
intention assaulted his son in a school and brought him to the
house of Yogendra, thereafter, it is alleged that he came to know
that Sulekha Devi wife of Yogendra along with Binod, Bishan
and others killed his son, accordingly, he went to the house of
Yogendra and saw the dead body of his son in a naked



condition.

4. Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and has been falsely implicated in the present case, it is also submitted that from perusal of the allegation as alleged in the FIR it would manifest that specific allegation is alleged against Sulekha, Binod and Bishan but then the said allegation is on basis of suspicion as informant is not an eye witness to the occurrence, it is next submitted that petitioner is not named in the FIR and he came to be implicated based on confessional statement of Shatrughan in police custody which does not have any evidentiary value, it is further submitted that petitioner will not abscond rather will cooperate in the investigation and will present himself as and when required by the investigating officer of the case for eliciting the truth and proving his innocence.

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

6. 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 trial court 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 trial court where the case is pending/successor court in connection with Tikapatti P.S. Case No. 58 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear that 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 is not cooperating in the investigation or is not presenting himself when called for the learned trial Court shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.

8. Let a copy of this Order be sent to the concerned P.S. through the learned Trial Court.

(Satyavrat Verma, J)

GauravSinha/-

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