

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48922 of 2023

Arising Out of PS. Case No.-158 Year-2021 Thana- SONBERSHA RAJ District- Saharsa

Bhupendra Yadav @ Bhupendra Prasad Yadav Son Of Saryug Prasad Yadav
@ Saryug Yadav, Resident Of Mohalla- Gangjala, P.S.- Saharsa, Distt.-
Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate

For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-08-2023 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Sonbarsa Raj P. S. Case No. 158 of 2021 registered on 02.09.2021 for the offences punishable under Sections 302/34 of the Indian Penal Code.

3. According to the prosecution, F.I.R. has been lodged against four known accused persons and two unknown accused persons. In the F.I.R., the apprehension of killing of informant's son was alleged to be made.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He further submits that final form has been submitted in this case, under

final form the petitioner and one co-accused Lalita Devi was exonerated from the charge sheet and charge sheet has been filed against five other accused persons. Counsel further submits that cognizance has been taken differing the final form, as such the situation of taking anticipatory bail has arisen. Counsel further submits that the two accused persons who were not sent up for trial, out of which one accused has preferred anticipatory bail before this Court and Co-ordinate Bench of this Court has been pleased to grant anticipatory bail to the said accused person vide order dated 24.07.2023 passed in Cr. Misc. No. 33297 of 2023. Counsel also submits that antecedent of the petitioner is clean.

5. Learned APP for the State opposes the prayer for bail and submits that the petitioner is named accused in the F.I.R.

6. In the aforesaid facts and circumstances, let the above-named petitioner be released on anticipatory bail, in the event of his arrest or surrender before the learned Court below within 6 weeks from today, on furnishing bail bond of Rs. 30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate Ist Class, Saharsa in connection with Sonbarsa Raj

P.S. Case No. 158 of 2021, subject to the conditions as laid
down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

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