

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55072 of 2023

Arising Out of PS. Case No.-111 Year-2021 Thana- BITHAN District- Samastipur

CHANDRAHAS KUMAR YADAV @ MULAYAM YADAV S/O LAL
BAHADUR YADAV R/O VILLAGE- JAGMOHRA, PS. BITHAN, DIST.
SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhimanyu Sharma
For the Opposite Party/s : Mr. Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-08-2023 Heard the parties.

2. The petitioner apprehend his arrest in a case registered for the offence punishable under Sections 302 and other allied Sections of the Indian Penal Code.

3. As per the FIR, the informant along with his son was going on his motorcycle and as soon as they reached near the house of one Smita Devi, the petitioner and other accused persons assaulted them by means of several weapons as a result of which the son of the informant died.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and



omnibus in nature. He further submits that the specific allegation is against co-accused Nityanand Yadav. There is no specific overt act against the petitioner. He further submits that similarly situated co-accused has been granted bail by a co-ordinate Bench of this Court vide order dated 11.04.2023 passed in Cr. Misc. No.63947 of 2022. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Bithan P.S. Case No.111 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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