

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58273 of 2023

Arising Out of PS. Case No.-48 Year-2011 Thana- CHAKAI District- Jamui

Mathura Yadav @ Mathura Prasad Yadav Son of Ishwari Yadav R/o vill -
Nakta, P.S. - Chakai, Distt. - Jamui

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay, Advocate
For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 20-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Chakai P.S. Case No. 48 of 2011 registered for the offence punishable under Sections 147, 148, 149, 323, 335, 337, 307, 447, 504 of the Indian Penal Code and Section 25(1-B)A, 26 35 and 27 of the Arms Act.

3. As per the prosecution case, the petitioner Mukhia of Dullampur Panchayat along with others reached at the house of informant on two tractors and 10 motorcycles and started raising slogans against the informant and threatened him not to contest the elections. It is alleged that on order of the petitioner, co-accused persons fired from their pistol on him and he anyhow saved himself.



4. Learned counsel for the petitioner submits that case was instituted in 2011 and final form against the petitioner was submitted in year 2013 as the petitioner was found innocent but the cognizance has been taken in this case on 02.05.2023. Petitioner is innocent and has falsely been implicated in this case. The Petitioner has no criminal antecedent.

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

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of their arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jamui in connection with Chakai P.S. Case No. 48 pf 2011, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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