

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62830 of 2022

Arising Out of PS. Case No.-172 Year-2009 Thana- SIKANDRA District- Jamui

SHIV KUMAR YADAV S/O BRAHAMDEO YADAV Resident of village-
Dharsanda, P.S.- Sikandra, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-02-2023 Heard both sides.

The petitioner apprehends his arrest in connection with Sikandra P.S. Case No.172 of 2009, registered for the offences punishable under Sections 302, 120(B) and 34 of the Indian Penal Code.

The prosecution case, in brief, is that on 06.07.2009, at about 6.30 in the morning, the informant reached near R.P.E.T. Bandh Mission Residential School and heard about killing of a person.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner has got no criminal antecedent as stated in paragraph-3 of the bail petition. It is further submitted that the petitioner is not named in the FIR. Learned counsel for



the petitioner submits that after investigation, the police submitted charge-sheet against other co-accused persons. It is submitted that the police submitted final form against the petitioner, but the learned court below after differing with the final form took cognizance against the petitioner also that too after 6 ½ years.

Learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioner.

Taking into consideration the facts aforesaid, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-2nd, Jamui in connection with Sikandra P.S. Case No.172 of 2009, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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