

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74120 of 2022

Arising Out of PS. Case No.-245 Year-2022 Thana- MAIRWAN District- Siwan

Chandan Yadav @ Chandan Kumar Son Of Paras Yadav @ Paras Nath Yadav
R/O Village- Phulwaria, P.S.- Mairwa, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghav Prasad

For the Opposite Party/s : Mr. Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 01-05-2023 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 324, 302 and 34 of the Indian Penal Code.

As per the prosecution case, the allegation against the petitioner is that he caught hold of the deceased and another accused person Deepak Yadav assaulted him.

Learned counsel for the petitioner submits that no such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that there is no specific overt act against the petitioner. He further submits that the petitioner is student no B. Tech. Which is clear from the Admit Card issued by J.P.



University, Chapra, as enclosed as Annexure-2 of the bail application. He submits that the petitioner has got one criminal antecedent as mentioned in para-3 of this application, in which the petitioner was acquitted, learned counsel for the petitioner enclosed the judgment of acquittal by way of supplementary affidavit.

Learned APP for the State opposes prayer for anticipatory bail.

Considering the facts and circumstances of the case, and the fact that there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his 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 Mairwa P.S. Case No. 245 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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