

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65232 of 2022

Arising Out of PS. Case No.-338 Year-2020 Thana- SONO District- Jamui

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FULESHWAR YADAV Son of Late Kishun Yadav R/V- Kuhila, P.S- Sono,
Dist- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar

For the Opposite Party/s : Mr. Ram Naresh Ray

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 27-03-2023 Heard the parties.

The petitioner apprehend his arrest in a case registered for the offence punishable under Sections 302, 120(B) and 34 of the Indian Penal Code.

Allegedly, co-accused Toofani Yadav assaulted the son of the informant by means of sword over his neck due to which his neck got separated from his body. The allegation against the petitioner is that he is also involved in the murder of the son of informant.

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. There is no specific overt act against the petitioner. The specific allegation is against the co-accused Toofani Yadav to assault the deceased by means of sword and the post-mortem report has also supported this fact. Petitioner has no criminal antecedent.

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

Having regard to the facts and circumstances of the case as there is no specific overt act against the petitioner, 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 Sono P.S. Case No.338 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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