

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66590 of 2022

Arising Out of PS. Case No.-237 Year-2019 Thana- SHERGHATI District- Gaya

SANTOSH KUMAR @ SANTOSH YADAV S/o Ganauri Yadav R/o Village-
Jarhipar, P.S.- Tekari, Distt- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Y.C. Verma, Senior Advocate
		Mr. Ram Babu, Advocate
For the State	:	Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 17-04-2023 Heard Mr. Y.C. Verma, learned Senior Counsel assisted
by Mr. Ram Babu for the petitioner and learned APP for the State.

The petitioner apprehends his arrest in connection with Sherghati P.S. Case No.237 of 2019, registered for the offences punishable under Sections 302, 201 and 34 of the Indian Penal Code.

Accusation is of killing the nephews (*Bhagina* and *Bhatija*) of the informant.

Learned Senior 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 petitioner is not named in the FIR. During investigation, the petitioner has also been made accused in the instant case. It is



submitted that no specific overt act is alleged against the petitioner. There is no eyewitness of the occurrence. It is submitted that other co-accused persons have been enlarged on anticipatory bail by different co-ordinate Benches of this Court vide order dated 03.01.2022, passed in Cr. Misc. No.9338 of 2020 and order dated 22.06.2020, passed in Cr. Misc. No.3929 of 2020.

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

Considering the fact that other co-accused persons have been enlarged on anticipatory bail by different co-ordinate Benches of this Court, 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., Gaya in connection with Sherghati P.S. Case No.237 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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