

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1043 of 2023

Arising Out of PS. Case No.-487 Year-2022 Thana- KATIHAR NAGAR District- Katihar

1. ASISH YADAV @ ASISH NANDAN SON OF RANJAN YADAV @ SATISH YADAV R/O MOHALLA- BARMASIYA, P.S.- KATIHAR SAHAYAK, DISTT.- KATIHAR
2. TUSHAR YADAV @ TUSHAR GAURAV SON OF RANJAN YADAV @ SATISH YADAV R/O MOHALLA- BARMASIYA, P.S.- KATIHAR SAHAYAK, DISTT.- KATIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha
For the Opposite Party/s : Mr.Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-02-2023 Heard learned counsel for the petitioners and learned APP
for the State.

After some arguments, learned counsel for the petitioners seeks permission to withdraw this application with regard to petitioner no.1.

Permission is granted.

Accordingly, the instant application is dismissed as withdrawn with respect to petitioner no.1.

However, if the petitioner no.1 surrenders before the learned Court below within a period of six weeks from today and seeks regular bail, the learned Court below would pass the order, preferably, on the same day, without being prejudiced by this order.



Now, this application survives only with regard to petitioner no.2.

Heard learned counsel for the petitioner no.2 and learned APP for the State.

The petitioner no.2 is apprehending his arrest in a case registered for the offence punishable under Sections 323, 341, 307, 379, 504 and 506 of the Indian Penal Code pending in the learned court below.

Learned counsel for the petitioner no.2 submits that the petitioner no.2 is innocent and has been falsely implicated in this case. He submits that there is no specific overt act against the petitioner no.2. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the aforesaid facts and circumstances and the fact that there is no specific overt act against petitioner no.2, let the petitioner no.2, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is



pending/Successor court, in connection with Katihar P.S. Case
No.487/2022, subject to the condition as laid down under
Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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