

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15801 of 2024

Arising Out of PS. Case No.-449 Year-2022 Thana- MUNGER MUFFASIL District- Munger

Fudan Yadav S/o Bhakoran Yadav R/o Vill - Salemabad, P.S. - Sahebpur
Kamal, Distt. - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Puja Kumari, Advocate.

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 13-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Munger Mufassil P.S. Case No.449 of 2022 instituted under Sections 302, 201/34 of the Indian Penal Code and under Section 27 of the Arms Act.

3. As per the prosecution case, on 14.12.2022 at 03.30 P.M., when the informant along with his associates were irrigating wheat crops, seven named accused persons surrounded his father and Bana Rai, Pandav Rai and Dhananjay Rai shot at his father as a result of which he died.

4. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He further submits that no overt act has been alleged against the petitioner except that he alongwith other six co-accused had surrounded the father of the informant. The specific



allegation of killing father of informant is against co-accused Bana Rai, Pandav Rai and Dhananjay Rai. He further submits that similarly situated co-accused Arbind Yadav has been granted bail by the Co-ordinate Bench of this Court vide order dated 28.07.2023 passed in Cr. Misc. No.41133 of 2023. Petitioner has no criminal antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned A.C.J.M. 2nd, Munger in connection with Munger Mufassil P.S. Case No.449 of 2022, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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