

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52815 of 2024

Arising Out of PS. Case No.-4 Year-2012 Thana- FESHAR District- Aurangabad

Sikandar Yadav @ Sikandar Kumar S/o Shri Ramadhar Singh R/o vill - Arri,
P.O. - Gaini, P.S. - Khudawan, Distt. - Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rohit Mishra

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 18-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offence under Section 302/34 of the Indian Penal Code.

3. As per the prosecution case, some unknown persons committed the murder of brother of informant and threw his dead-body in a canal.

4. It is submitted that petitioner is not named in the F.I.R. Name of the petitioner transpired during course of investigation only on the ground that on the alleged date of occurrence, this petitioner and wife of deceased had a long conversation on mobile phone and it has also come that wife of deceased had extra-marital affairs with this petitioner and co-



accused Chandrashekhar. In the entire case diary, there is no specific material against this petitioner to show his involvement in the alleged occurrence. Learned counsel further submits that police after investigation submitted final form, however differing with the same, the learned Court below took cognizance against petitioner and other co-accused person under Section 302/34 of the I.P.C. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances, in the event of arrest/surrender before the Court below within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - IV, Aurangabad in connection with Fesar P.S. Case No. 04 of 2012, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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