

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21962 of 2015

Arising Out of PS.Case No. -33 Year- 2013 Thana -CHANAN District- LAKHISARAI

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Ramdeo Yadav @ Gongu Yadav, son of Dorik Yadav @ Chano Yadav.
resident of village - Gopalpur, P.S.- Chanan, District - Lakhisarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : Mr. R.P.S Singh (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 03-11-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection with
Chanan P.S. Case No. 33 of 2013 registered for the offences
punishable under Sections 147, 148, 149, 302, 307 and 120(B) of
the Indian Penal Code, under Section 27 of the Arms Act, Section
¾ of the Explosive Substance Act, Section 150, 151, 152 of the
Railway Act and Section 16, 18(B) and 20 of the U.A.P. Act.

Earlier case diary of the present was called for which
has since been received.

Learned counsel for the petitioner submits that
petitioner has falsely been implicated in the present case, because
as a matter of fact, he is not Gango Yadav of Hanumangarhi, as

has been stated by one of the co-accused in his confessional statement. It is further submitted that the police under misconception presuming that this petitioner is, in fact, Gango Yadav, prosecuted him. It is further submitted that even be it so, the petitioner is not named in the FIR and his name has figured in the confessional statement of one co-accused namely, Birendra Kora @ Ravindra Kora, which has no evidentiary value and as such, the petitioner cannot be prosecuted and put behind the bar for the said reasons.

Considering the aforesaid submissions, let the petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Railway Judicial Magistrate, Kiul, District – Rail Jamalpur, in connection with Chanan P.S. Case No. 33 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C..

(Anjana Mishra, J)

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