

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23972 of 2015

Arising Out of PS.Case No. -594 Year- 2014 Thana -BARACHATTI District- GAYA

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Kamaldeo Yadav son of Balo Yadav, Resident of Patluka, P.S.- Barachatti,
District- Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate

For the Opposite Party/s : Mr. T.P.Mandal(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-09-2015

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Sections 147, 148, 149, 436 and 379 of the Indian Penal Code and 27 of the Arms Act.

Allegation is that 40-50 persons, claiming themselves to be Maobadi, came in village Mahugaon and Pararia and burnt B.S.N.L Tower and machines inside the campus.

It has been submitted on behalf of the petitioner that petitioner has got no criminal antecedent. It has further been stated that there is no direct evidence against the petitioner nor there is any evidence to show that the petitioner is in any way concerned with the Maobadi.

On behalf of the State, it is submitted that in para-7 of the case diary the guard of the tower has stated that the person who lit the fire, petitioner was also among said persons.

Considering the facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. Accordingly,

prayer is rejected.

However, if the petitioner surrenders in the court below within a period of four weeks from today and files a petition praying therein for regular bail, the same shall be considered by the court below on its own merit without being prejudiced by the order of this Court.

(Sudhir Singh, J)

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