

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36766 of 2015

Arising Out of PS.Case No. -39 Year- 2015 Thana -LAXMIPUR District- JAMUI

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1. Bhutaki Yadav Son of Sri Saryug Yadav resident of village - Faksa,
P.S. Jhajha, Distt.- Jamui

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prakash Mahto

For the Opposite Party/s : Mr. Shyam Bihari Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-09-2015

Heard learned counsels for the petitioner

and the State.

Petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 364(A)/34 of the Indian Penal Code.

The prosecution case is that Mithlesh Kumar, son of the informant and one Ajit Kumar, brother-in-law of Mithlesh Kumar were abducted leading to registration of the First Information Report against unknown. Subsequently they returned and victims' 164 Cr.P.C statements were recorded where they named Guddu Yadav, Sanjay Yadav, Dhananjay Yadav and other unknown. The name of the petitioner sprang up on confession of Guddu Yadav.

It is submitted by learned counsel for the petitioner that victims did not name the petitioner in their 164 Cr.P.C statement and petitioner has no criminal antecedent. A

statement to that effect has been made in para 3 of the petition.

The aforesaid facts constitute ground for consideration of regular bail, if the petitioner surrenders within a period of six weeks in connection with Laxmipur(Gidhaur) P.S. Case No. 39 of 2015, pending in the Court of learned Sub-Divisional Judicial Magistrate, Jamui.

With the observations above, the application stands disposed off.

(Dinesh Kumar Singh, J)

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