

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48730 of 2014

Arising Out of PS.Case No. -18 Year- 2006 Thana -MUFFASIL District- AURANGABAD

Vijay Yadav @ Krishna Yadav S/o Balkeshwar Yadav Resident of village
- Raja Bigha, P.S. Salaiya, District - Aurangabad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Leelawati Kumari

For the Opposite Party/s : Mr. B.M.Pd.Sinha (App)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 23-04-2015 Heard learned counsel for the petitioner as well as
learned counsel for the State.

In this application for anticipatory bail the petitioner apprehends his arrest for the offences punishable under sections 147, 148, 149, 386, 212 and 216 of the I.P.C and section 17 of the C.L.A. Act.

Acting on a tip off a raiding team was organized and the informant and other police officials went there but seeing the police party the members assembled there started giving slogan and thereafter three miscreants were caught and others succeeded in fleeing away and on search literature of Nuxalite activities and other papers were recovered and they disclosed the name of petitioner and others as their associates.



Submission is of false implication. The petitioner was not caught at the spot. Nothing has been recovered from his house. The petitioner was in custody since 23.04.2012 to 21.06.2012 in connection with Rafiganj P.S. Case No. 57 of 2006 but he was not remanded in the present case and when he came to know that he is wanted in this case he filed the anticipatory bail application before the learned Sessions Judge. The petitioner has been allowed bail in Rafiganj P.S. Case No. 57 of 2006 by this Court vide Cr. Misc. No. 21993 of 2012 and except that case the petitioner has got no criminal antecedent. During investigation also no witness has stated name of the petitioner that he was involved and gave threatening to any general public and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioner.

As nothing has been recovered from possession of the petitioner and he was not caught at the spot and his name was taken by the co-accused before police and as such the petitioner in case of his arrest or surrender within two months from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of. C.J.M.

Aurangabad in Aurangabad (Muffasil) P.S. Case No. 18 of 2006,
subject to the conditions as laid down in section 438 (2) of the
Cr.P.C.

(Jitendra Mohan Sharma, J)

Abhay/-

U		T	
---	--	---	--