

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 31248 of 2014

Arising out of P. S. Case No. - 48 Year - 2013 Thana - ROSHANGAANJ District - GAYA

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1. Pawan Yadav @ Pawan Kumar, S/O Birendra Yadav, R/O Village -
Kharar, P.S. - Bankey Bazar, Dist. - Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. S. Jamil Akhtar, Advocate

For the Opposite Party/s : Mr. Anuj Kr. Srivastav, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 29-01-2015

Heard the parties.

In this application for anticipatory bail the petitioner apprehends his arrest for the offence punishable under Sections 120B, 121, 122, 124A of the Indian Penal Code, Section 17 of the Criminal Law Amendment Act and Sections 13, 16, 17, 18, 20, 38, 39 and 40 of the U.P.A. Act.

It is submitted that in this case similarly situated co-accused, namely, Sanjay Yadav @ Sanjay Kumar Gavaskar has been allowed pre-arrest bail vide order dated 21.03.2014 passed in Cr. Misc. No. 54027 of 2013 and against the petitioner also only incriminating material is the confessional statement of co-accused Vikash Kumar Yadav who was apprehended by the police on the day and time of occurrence and was found in possession of some nuxal literature and cash. It is also submitted that Vikash Kumar

Yadav has been allowed regular bail and further Chinta Kumari has also been allowed bail vide order dated 02.07.2014 passed in Cr. Misc. No. 3799 of 2014 and, as such, the petitioner deserves sympathetic consideration to which the learned A.P.P. does not dispute.

In the facts and circumstances as stated above, the petitioner, above named, 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 execution of bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sherghati, Gaya in connection with Raushanganj (Bankey Bazar) P.S. Case No. 48 of 2013, subject to the conditions as laid down in Section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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