

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8464 of 2015

Arising Out of PS.Case No. -213 Year- 2014 Thana -NAUHATTA District- SAHARSA

- =====
1. Amar Yadav S/o Bikan Yadav resident of village - Bakuniya, P.S. Nauhatta (Darhar O.P.), District - Saharsa
 2. Anil Yadav S/o Shivji Yadav resident of village - Bakunia, P.S. Nauhatta (Darhar O.P.), District - Saharsa
 3. Siya Sharan Yadav S/o Baburam Yadav resident of village - Dihtha, P.S. Ghanshyampur, District - Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate.

For the Opposite Party/s : Mr. Md.Fahimuddin(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 03-03-2015 Heard both sides.

The petitioners apprehend their arrest in Nauhatta (Darhar O.P.) P.S. Case No. 213 of 2014, registered for the offences punishable under Sections 25(1-B)A, 26/35 of the Arms Act.

The police arrested one Birendra Yadav who disclosed the name of the petitioners and the petitioners managed to flee away on being intercepted by the police. From possession of Birendra Yadav two country made rifles were recovered.

Learned counsel for the petitioners submits that the petitioners are innocent. They have falsely been implicated in the

case at the instance of Birendra Yadav. Petitioner No. 1 has got criminal antecedent but petitioner no. 2 and 3 have got clean antecedent.

Considering the facts aforesaid and the fact that the name of the petitioners figured in the case in the confessional statement of Birendra Yadav and petitioner nos. 2 and 3 does not bear any criminal antecedent petitioner nos. 2 and 3 Anil Yadav and Siya Sharan Yadav, in the event of their 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, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saharsa in connection with Nauhatta (Darhar O.P.) P.S. Case No. 213 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

So far as petitioner no. 1 Amar Yadav is concerned, he has criminal antecedent, hence, I am not inclined to enlarge him on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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