

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23419 of 2015

Arising Out of PS.Case No. -29 Year- 2013 Thana -MALAYPUR District- JAMUI

Jawahar Yadav Son of Late Karu Yadav, Resident of Village - Darima,
Police Station - Khaira, District - Jamui

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Chandra Sen Prasad Singh
For the Opposite Party/s : Md. Sufiyan (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 08-07-2015

Heard both sides.

The petitioner apprehends his arrest in a case under Sections 364/34 of the Indian Penal Code. Later on, Section 302 and other sections of the Indian Penal Code were added.

The petitioner is not named in the F.I.R., but name of the petitioner figured in the case in the confessional statement of Bhim Yadav. In pursuance thereof, dead body of the deceased was recovered. Bhim Yadav disclosed the names of Satish Kumar Yadav and Ramdeo Yadav. It is submitted that Satish Kumar Yadav and Ramdeo Yadav have already been enlarged on regular bail. The case of the petitioner stands on the same footing.

It appears that both co-accused Satish Kumar Yadav and Ramdeo Yadav have been granted regular bail. Of course, the name of the petitioner figured in the confessional statement of

Bhim Yadav leading to the recovery of the dead body of the deceased but the tower location of the mobile of the petitioner was also found in the vicinity of the place of occurrence.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail in Mallehpur (Jamui) P.S. Case No. 29/13. Accordingly, the same is rejected.

The petitioner, if so advised, may surrender in the court below and make prayer for regular bail. The court below shall consider the prayer for regular bail of the petitioner without being prejudiced from this order and taking into account that co-accused Satish Kumar Yadav and Ramdeo Yadav have already been enlarged on regular bail.

(Prabhat Kumar Jha, J)

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