

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41574 of 2014

Arising Out of PS.Case No. -41 Year- 2014 Thana -CHANDRADEEP District- JAMUI

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Nagina Yadav Son of Late Ramashis Yadav Resident of Village-Hathia,
P.S.-Chandradeep, District-Jamui.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

3. 27.04.2015 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner apprehends arrest in
connection with Chandradeep P.S. Case No. 41 of 2014 dated
06.05.2014 instituted under Sections 364/34 of the Indian
Penal Code.

Learned counsel for the petitioner submits that
he is not named in the F.I.R. and not named by the victim but
only on the confessional statement of co-accused Sako Yadav
and Chuni Mahto, he has been made accused. It is submitted
that the said Sako Yadav has been granted bail by the Court
below.

Learned A.P.P., upon going through the case
diary, opposes the prayer for anticipatory bail. It is submitted
that co-accused Sako Yadav and another co-accused Chuni

Mahto have stated with regard to the role of the petitioner of being the person who was actually involved in the transaction of money after which the victim was released. It is further submitted that the petitioner may also be directed to surrender and seek regular bail.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, this Court is not inclined to enlarge the petitioner on anticipatory bail.

The application, accordingly, stands dismissed.

However, in the event the petitioner surrenders and prays for regular bail before the Court below, the same shall be considered on its own merits without being prejudiced by the present order.

(Ahsanuddin Amanullah, J.)

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