

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23836 of 2016

Arising Out of PS.Case No. -109 Year- 2014 Thana -KAKO District- JEHANABAD

1. Subodh Yadav Son of Birbal Yadav Resident of village- Madarichak, PS
Makhdumpur District Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anita Kumari Singh

For the Opposite Party/s : Mr. Shailendra Kr.Singh (App)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 06-09-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with a
case registered for the offences punishable under Sections 302/392
of the Indian Penal Code read with Section 34 of the said Code
and under Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner
is not named in the First Information Report, but subsequently, the
name of the petitioner has come in the confessional statement
made before the police by one Mithlesh Yadav who also was
arrested on the basis of a confessional statement made before the
police by one Azad Kumar. The petitioner however, has no
criminal antecedent and it is on the basis of mere speculation that

he is being roped in, in connection with the present case.

Learned Additional Public Prosecutor appearing on behalf of the State after perusal of the case diary refers to several paragraphs, but from perusal of the same it appears that save and except the confessional statement made before the police, which has no evidentiary value, there is no other cogent material available in the case diary to implicate the petitioner.

In view of the facts and circumstances and that the petitioner is not having any criminal antecedent, let the petitioner, in the event of his arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Jehanabad in connection with Kako P.S. Case No. 109/2014, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J)

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