

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3748 of 2016

Arising Out of PS.Case No. -261 Year- 2015 Thana -BIHIYA District- BHOJPUR

Jai Kishore Yadav Son of Dipan Yadav, Resident of Belwania, P.S. - Behea,
District - Bhojpur at Arra.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Sarveshwar Tiwary, Advocate.

For the Opposite Party : Mr. Aditya Narayan Singh - 1(APP)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 12-04-2016 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection with Behea P.S. Case No. 261/2015 registered for the offences punishable under Sections 452 and 326(A)/34 of the Indian Penal Code.

The case diary in the present case was called for, which has been received.

Learned counsel for the petitioner submits that though the petitioner's name has not figured in the F.I.R, later on the brother of the girl, who has been injured in Acid attack, had come forward to say that there was a love affair between the petitioner and his sister.

Learned counsel for the informant submits that in such case, the petitioner is not entitled to the benefit of anticipatory bail.

Learned counsel for the state after perusal of the case diary submits that the story of love affair surfaced much later and even in the re-statement, the informant has not even whispered the name of this petitioner with regard to the love angle.

Considering the various theories as carved out by the prosecution, there appears to be a cloud on the prosecution story. Accordingly, considering the entire facts and circumstances of the case and also that the petitioner has no criminal antecedent, let the petitioner above named, in the event of his 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, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Navin Kumar Srivastava, Judicial Magistrate 1st Class, Bhojpur at Ara in connection with Behea P.S. Case No. 261/2015 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjana Mishra, J.)

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