

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37023 of 2016

Arising Out of PS.Case No. -120 Year- 2016 Thana -DARBHANGA SADAR District-
DARBHANGA

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Santosh Kumar Yadav, son of Late Garib Nath Yadav, resident of Village-
Gausha Ghat, Police Station- Sadar, District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sri Ashok Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 19-09-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out
of Sadar P.S. Case No. 120 of 2016, disclosing offences under
Sections 420, 467, 468, 471, 474,484, 170 and 120B of the Indian
Penal Code, Section 1 of the Indian Passport Act and Section 14 of
the Foreigner Act.

From the First Information Report, it appears that the
police upon getting secret information that some persons were
residing in the house of one Banwari Yadav in suspicious
circumstances, they raided the house and apprehended eight
persons, who were of Bangladesh origin. They are said to have

disclosed that they had entered into India with the help of the petitioner and the petitioner had provided them forged I.D. Cards, School Transfer Certificate and Birth Certificate for the purpose of getting passports issued in their name.

Learned counsel appearing on behalf of the petitioner has attempted to persuade this Court that since no document has been recovered from the house of the petitioner and his implication is based only on confessional statement of the co-accused, he deserves the privilege of anticipatory bail.

Considering the nature of accusation and the fact that the custodial interrogation of the petitioner by the Police may be required, I am not inclined to grant the petitioner privilege of anticipatory bail.

The petitioner is directed to surrender before the court below within four weeks, if he does so and seek regular bail, his case for regular bail shall be considered on its own merit, without being prejudiced by rejection of the present anticipatory bail application.

This application is rejected with the observation as above.

(Chakradhari Sharan Singh, J)

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