

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44048 of 2016

Arising Out of PS.Case No. -21 Year- 2012 Thana -NAVHATTA District- SASARAM (ROHTAS)

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Ram Nagina Singh @ Ram Nagina Yadav @ Nagina Yadav S/o Late Shankar
Yadav R/o-Village- Banda, P.S.-Nauhatta, District-Rohtas

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Basant Kumar Singh with
Mr. Deovind Kumar, Advocates

For the Opposite Party/s : Mrs. Veena Mukari Jaiswal, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 17-10-2016

Heard learned counsel for the parties.

The petitioner seeks pre-arrest bail in Nauhatta P.S. Case
No. 21 of 2012 dated 05.05.2012 instituted under Sections
147/148/149/120B of the Indian Penal Code, 25(1-B)(a)/26/35 of the
Arms Act, 3/4 of the Explosive Substances Act and 17 of the C.L.A.
Act.

The allegation against the petitioner is that he is involved
in extremist activities.

Learned counsel for the petitioner submits that he has
been named in the F.I.R. but neither was he arrested from the spot nor
any recovery was made and only because of the statement made by

the co-accused Bhanu Yadav, who was arrested, he has been falsely implicated in the case. It is submitted that Bhanu Yadav, due to village enmity, has named the petitioner, and he is working as a Gram Kutchery Sachiv of Pipardih Panchayat under Nauhatta Block since the year 2008 and, thus, there was no occasion for him to be associated with any extremist organization.

Learned A.P.P. submits that the name of the petitioner was disclosed right on the spot when Bhanu Yadav was arrested and, thus, chances of false implication are almost ruled out and further, no plausible reason has been shown for false implication.

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

The application, accordingly, stands dismissed.

(Ahsanuddin Amanullah, J)

Anjani/-

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