

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59822 of 2017

Arising Out of PS. Case No.-51 Year-2017 Thana- KURTHA District- Jehanabad

Shankar Yadav, son of Kamta Yadav, Resident of Village-Bhikhanpur, P.S.-
Konch, District-Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Kumar Sinha, Adv.

For the Opposite Party/s : Mr. J. N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 12-12-2017 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 384, 385 of the Indian Penal Code and 25(1-B)a, 26, 35 of the Arms Act.

The informant being a police officer, on secret information that miscreants are collecting extortion from the owner of the brick-kilns, led a raid when three persons were found there in suspicious condition, out of which two escaped from the scene and one was apprehended from whom a country made pistol and Rs.5000/- were recovered, who disclosed the name of the petitioner also, who shared extortion amount to the extent of Rs.20000/-.

It is submitted by learned Counsel appearing on behalf of the petitioner that neither the petitioner has been



apprehended from the spot nor any recovery has been made from him.

Considering the fact that the petitioner is accused in three other cases under the Arms Act with accusation under sections 385, 386 of the I.P.C., this Court is not inclined to grant anticipatory bail. Hence, the same is rejected.

However, keeping in view the fact that there is no recovery from the petitioner nor the petitioner was apprehended from the place of occurrence, it is a case for consideration of prayer for regular bail, if the petitioner surrenders within a period of six weeks in connection with Kurtha P.S. Case No.51 of 2017, pending before the learned CJM, Arwal.

With the above observation, this application is, accordingly, disposed of.

(Dinesh Kumar Singh, J)

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