

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.22526 of 2017**

Arising Out of PS.Case No. -215 Year- 2013 Thana -BARBIGHA District- SEKHPURA

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1. Madhusudan Yadav S/o Balram Yadav, Resident of Village- Bhadrohi,  
P.S.- Pirpaiti & District- Bhagalpur.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ajit Kumar

For the Opposite Party/s : Mr. Sri Dashrath Mehta

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR**  
**MISHRA**  
**ORAL ORDER**

5      31-08-2017                      Heard learned counsel for the petitioners and the  
  
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection  
with Barbigha P.S. Case No. 215 of 2013 registered under  
Sections 406, 364, 396, 302 of the Indian Penal Code and Section  
27 and 30 of the Arms Act.

The accusation is that the truck of Nitesh Kumar  
informant bearing Registration No. BR-52-6529, was taken away  
by his driver to Bhagalpur on hire basis. He informed the same at  
2.00 p.m. on 3.09.2013 to the informant through mobile but later  
on his mobile was found switched off. The informant raised  
suspicion about robbery of his vehicle and, thereafter, dead body  
of his driver was recovered near village Pirpaity, Bhagalpur.



Learned counsel for the petitioner submits the name of the petitioner surfaced on the basis of confessional statement of one co-accused Munna Kumar who was apprehended by the police. He further submits that co-accused Munna Kumar has been granted regular bail in Cri. Misc. No. 5419 of 2014 passed on 08.05.2014.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner and accordingly, his prayer for grant of anticipatory bail stands rejected in connection with Barbiga P.S. Case No. 215 of 2013 pending in the court of learned Additional Chief Judicial Magistrate-II, Sheikhpura.

**(Rajendra Kumar Mishra, J)**

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