

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51132 of 2016

Arising Out of PS.Case No. -174 Year- 2016 Thana -AIRPORT District- PATNA

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1. Bindeshwari Prasad Yadav @ Bindi Yadav, Son of Sri Budhdev Yadav,
resident of House No. 51, A.P. Colony, P.S. Rampur, District - Gaya
(Bihar)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Y.V.Giri,Sr.Advocate and Mr. Ashish
Giri

For the Opposite Party/s : Mr. Sri Dilip Kumar Sinha, A.P.P.-20

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

ORAL ORDER

5 25-01-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in a case registered
under Sections 186, 353, 506 and 34 of the Indian Penal Code.

The accusation is that after passing order by the Hon'ble
Supreme Court in SLP (Criminal) No. 8306 of 2016 regarding stay
of order of granting bail to Rocky Yadav in Rampur P.S.Case No.
130 of 2016 and also after receiving instructions of senior police
officials to arrest the said Rocky Yadav and produce before the
Court, on 29.10.2016 the informant was at Patna Airport and saw
to Rockey Yadav coming out from Airport. When enquiry was
made by the informant about his identity then he refused to give
proper reply. At that time this petitioner and his younger brother



Jacky Yadav also reached there and this petitioner started abusing to the informant and he accompanied his son Rocky Yadav and Jacky Yadav from there interfering in the discharge of official duty of the informant to arrest Rocky Yadav.

Learned counsel for the petitioner submits that, in fact, after seeing the T.V. News of staying the order of granting bail to Rocky Yadav by the Hon'ble Apex Court, an application was filed in the Court of Additional Sessions Judge-IX at Gaya on 28.10.2016 on behalf of accused Rocky Yadav for his surrender on 29.10.2016 and he also surrendered on 29.10.2016. Further submission is that, in fact, Manorma Devi, wife of this petitioner has lodged Rampur P.S. Case No. 282 of 2016 under Sections 380 and 457 of the Indian Penal Code against the informant of the present case and other police officials and due to that reason, the present case has been lodged by the informant with false allegation. Further submission is that the petitioner is accused in 15(fifteen) more cases but in all cases he is on bail

Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender in the court below within a period of six weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/(ten thousand) with two sureties of the like amount each



to the satisfaction of learned Chief Judicial Magistrate, Patna
in Adda P.S.Case No.174 of 2016,subject to the conditions as laid
down u/s 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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