

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52665 of 2016

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

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Jacky Yadav @ Vineet Yadav, son of Sri Bindeshwari Prasad Yadav,
resident of House No.51, A.P. Colony, P.S.- Rampur, District- Gaya
(Bihar).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Y.V. Giri, Sr. Advocate,
: Mr. Ashish Giri, Advocate,
For the Opposite Party/s : Mr. Dilip Kumar Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUJMAR
MISHRA
ORAL ORDER

4 09-01-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Hawai Adda P.S. Case no. 174 of 2016, registered under Sections 186,
353 and 506/34 of the Indian Penal Code.

The accusation is that after passing order by the Hon'ble
Supreme Court in SLP (Crl.) 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 Rocky Yadav coming out
from Airport. When inquiry was made by the informant about his
identity then he refused to give proper reply. In the mean time his
father Bindi Yadav and his younger brother Jacky Yadav (Petitioner)
also reached there and Bindi Yadav started abusing to the informant
and he accompanied his son Rocky Yadav and this petitioner from



there interfering interfered 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 Supreme Court, an application was filed in the Court of Addl. Sessions Judge-IX at Gaya on 28.10.2016 on behalf of accused Rocky Yadav for his arrest and he surrendered on 29.10.2016 in the Court of Addl. Sessions Judge-IX, Gaya. Further submission is that, in fact, Manorma Devi, mother of the petitioner lodged Rampur P.S. Case No.282 of 2016, under Section 380 and 457 of I.P.C. against informant of the present case and other Police officials and due to that reasons, the present case has been lodged by the informant with false allegation. Moreover, no specific act has been alleged against the petitioner and he has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Patna in connection with Hawaii Adda P.S. Case No. 174 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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