

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14424 of 2017

Arising Out of PS.Case No. -422 Year- 2016 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

=====

Rishu Srivastava Son of Ajeet Srivastava, Resident of Mohalla-Belbanwa,
P.S.-Motihari Town, District-East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sri Anil Kumar Singh 1

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 28-03-2017

Heard learned counsel for the petitioner and the

State.

The petitioner apprehends his arrest in Town
P.S. Case No. 422 of 2016 instituted for the offence under Section
(s) 307/34, 120B of the Indian Penal Code and Section 27 of the
Arms Act.

It has been submitted on behalf of the petitioner
that petitioner has clean antecedent. The petitioner was not named
in the written report. The name of the petitioner has come in the
confessional statement of co-accused Yuvraj Prabhu as recorded
in para 40 of the case diary.

From the impugned order, it appears that
learned Sessions Judge has mentioned that complicity of the



petitioner has come in paragraphs 40 52, 73, 131 of the case diary but he has not mentioned any substantive allegation against this petitioner.

In the facts and circumstances of the case, the prayer of the petitioner for anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, above named, within six weeks from today in connection with Town P.S. Case No. 422 of 2016, G.R. No. 3293 of 2016, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned 7th Additional Chief Judicial Magistrate, Motihari, East Champaran, subject to the conditions as laid down under Section 438(2) of Cr.P.C.

(Sanjay Priya, J)

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