

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18786 of 2017

Arising Out of PS.Case No. -84 Year- 2005 Thana -PATAHI District-
EASTCHAMPARAN(MOTIHARI)

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1. Brahmdeo Ram Son of Late Mukhlal @ Mukha Chamar @ Bhukhal,
Resident of Village-Barka Gaw, P.S.-Pakaridayal, District-East Champaran.

.... Petitioner/s

Versus

1. 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. Narsingh Tanti

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 08-05-2017 Heard the parties.

The petitioner is apprehending his arrest in connection with Patahi P.S.Case No.84 of 2005 registered for offences punishable under Sections 147, 148, 149, 307, 324, 353 & 412 of the Indian Penal Code and 25(1-B)A, 26, 27 and 35 of the Arms Act, 1959 and Section 17 of the Criminal Law Amendment Act.

The petitioner is not named in the F.I.R. and later on his name transpired during the investigation of the case.

It is submitted on behalf of the petitioner that the name of the petitioner has come only on the basis of confessional statement of the co-accused after ten years of occurrence. It is further submitted that though the petitioner is named in the other cases also but in all those cases, he is on bail.



Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant anticipatory bail to the petitioner, however, the petitioner is directed to surrender before the learned court below within a period of six weeks and make prayer for regular bail, which will be considered by the learned court below taking into consideration of this aspect of the matter that in this case, after ten years, the name of the petitioner has come on the basis of confessional statement of the co-accused.

Considering the aforesaid facts and submissions as well as other facts available on the record, the learned court below will pass appropriate order preferably on the same day.

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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