

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52500 of 2017

Arising Out of PS. Case No.-107 Year-2013 Thana- MANSAHI District- Katihar

Shambhu Yadav S/o Late Baleshwar Yadav @ Umesh Yadav, R/o Village-
Narayanpur, P.S.- Bihpur (Bhawanipur), District- Bhaglpur.... .. Petitioner
Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Kamlesh Kumar Pathak
For the Opposite Party/s : Mr. SRI RAJENDRA PRASAD NAT

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 09-11-2017 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner apprehends his arrest in connection with
Mansahi P. S. Case No. 107 of 2013 registered for the offences
punishable under Sections 147, 148, 149, 452, 364 and 511 of
the Indian Penal Code.

Allegedly, 8-10 persons with vehicle no. BR10P-3917
came and called the informant and Awnish Kumar and Warish
Kumar asked whereabouts of the father of the informant and
when the informant told that he is out of the house then 2-3
persons abused, entered into the courtyard and started searching
the father of the informant, thereafter, Waris pointed out pistol
and asked about the father of the informant and tried to pull him
towards the vehicle but the villagers intervened then the
informant was saved, in the meantime Police came and six
persons were caught and they stated the name of the petitioner



that the petitioner succeeded in fleeing away.

Submission is of false implication and that the petitioner was not apprehended at the spot, he was not identified by the informant and he has been falsely implicated by other co-accused due to village politics. The petitioner has been made victim of circumstances. The matter has been compromised and joint compromise petition has also been filed vide annexure-2 and as such the petitioner deserves sympathetic consideration.

Learned APP opposes the prayer of pre-arrest bail.

In the facts and circumstances stated above, considering that the matter has been compromised and further name of the petitioner was taken by co-accused, the petitioner above named, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order, is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Mansahi P. S. Case No. 107 of 2013, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

avin/-

(Jitendra Mohan Sharma, J)

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