

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45 of 2017

Arising Out of PS.Case No. -363 Year- 2016 Thana -FORBESGANJ District- ARRARIA

- =====
1. Chandra Narayan Yadav @ Bhumi Yadav, S/o Chhutaharu Yadav,
 2. Renu Devi, w/o Chandra Narayan Yadav @ Bhumi Yadav, both residents of village - Ararah, P.S. Forbesganj, District - Araria
- Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma, Advocate
For the Opposite Party/s : Smt. Anita Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 11-01-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Forbesganj P.S. Case No.363 of 2016 instituted for the offence under Section(s) 399, 402 Indian Penal Code and Sections 25(1-b)a, 26, 35 of the Arms Act.

As per the allegation in the written report, while the informant was on patrolling duty and he reached Parwaha at 10.30 PM, he received secret information that some miscreants have assembled at the house of the petitioners. Thereafter, the informant rushed and saw that the miscreants were sitting at the house of the petitioners and they tried to run away. However, the police arrested eight persons and one boy managed to run away. It is further alleged that one country made pistol and live cartridges were recovered from the possession of Pramod Kumar



Poddar.

It has been submitted that the petitioners are not named in the written report and his name came during the investigation. It appears that the learned Sessions Judge has mentioned in the impugned order that during course of investigation the Investigating Officer has found involvement of the petitioners as mentioned in para 53, 56, 57 of the case diary. Besides the above, there is no other material either in the written report or in the case diary. It has been stated in para 3 that the petitioners have clean antecedents.

In the circumstances, prayer of the petitioners for anticipatory bail is allowed and it is directed that in the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Forbesganj (Simraha) P.S. Case No.363 of 2016, they shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Araria, subject to the conditions as laid down under Section 438(2) Cr. P. C.

(Sanjay Priya, J)

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