

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63949 of 2018

Arising Out of PS. Case No.-164 Year-2018 Thana- GOVINDGANJ District- East
Champanan

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Birbal Yadav, S/o Dhura Yadav, Resident of Village- Barharwa, P.S. Malahi,
District- East Champanan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.III, Adv.
For the Opposite Party/s : Mr. Bharat Lal, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 13-12-2018 The petitioner seeks bail in anticipation of his

arrest in connection with Govindganj (Malahi) P.S. Case No.

164 of 2018, dated 18.06.2018, instituted for the offences

under Sections 447, 341, 323, 504 and 506 of the I.P.C.

and Sections 25(1-b)a, 26 and 35 of the Arms Act.

On the information to the mobile police party that

one Sudama Yadav has been confined by some accused

persons, a raid was conducted. Seeing the police party, the

miscreants started fleeing away. However, one Runni Yadav

was arrested and from his possession firearms were

recovered. Aforesaid Runni Yadav, on being asked by the



police team, disclosed the name of the petitioner as one of his associates.

The learned counsel for the petitioner has submitted that the only material against the petitioner, therefore, is the confession of a co-accused person, who was arrested by the police. It has further been submitted that earlier the petitioner was made an accused in a case but in the aforesaid case, he has been acquitted. It has also been urged on behalf of the petitioner that prior to the present occurrence, the sister-in-law of the petitioner had filed a case against aforesaid Sudama Yadav, who was alleged to have been kept in confinement. The learned counsel for the petitioner, therefore, submits that the name of the petitioner has deliberately been given at the instance of police and aforesaid Sudama Yadav.

Considering the aforesaid facts, the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks from the date of receipt/production of a copy of the present order, is directed to be released on bail on his furnishing bail bonds



of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-I, East Champaran in connection with Gobindganj (Malahi) P.S. Case No. 164 of 2018, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

Praveen-II/-

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