

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.119 of 2018

Arising Out of PS.Case No. -178 Year- 2017 Thana -PARWATTA District- KHAGARIA

=====

1. Santosh Yadav, S/o Bisheshwar Yadav,
2. Bino Yadav @ Milo Yadav, S/o Late Daya Yadav, Both resident of
Village- Khiradih, P.S.- Parbatta, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Sri Rajballabh Singh

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

2 15-01-2018

Heard both sides.

The petitioners apprehend their arrest in Parbatta P.S. case No. 178 of 2017 under Section 323, 353 and other Sections of the Indian Penal Code.

The police went to arrest Santosh Yadav, petitioner No.1, in Parbatta P.S. case No. 48 of 2017 registered under Section 379 and other Sections of the IPC and under Section 27 of the Arms Act and Santosh Yadav was arrested. Santosh Yadav made alarm, on such, many other accused persons, namely, Mukesh Yadav, Rajesh Yadav, Mantu Yadav, Pankaj Yadav and others came there and got him freed from the custody of police.

The learned counsel for the petitioners submits that there is omnibus allegation against petitioner No.2, Bino Yadav @ Milo Yadav, and similarly situated accused persons, namely, Pankaj Yadav, Mantu Yadav and Rajesh Yadav have already been granted anticipatory bail vide order passed in Cr. Misc. No. 53935



of 2017. Mukesh Yadav was arrested and he has been granted regular bail.

Considering the facts aforesaid and the nature of allegation made against petitioner No.2, the petitioner No.2, namely, Bino Yadav @ Milo Yadav, 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 this order is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Khagaria in connection with Parbatta P.S. case No. 178 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

So far as case of petitioner No.1, Santosh Yadav, is concerned, it was he who was arrested by the police and he fled away from the custody of police and besides this he has got criminal antecedent also.

Considering the nature of allegation made against petitioner No.1, Santosh Yadav, I am not inclined to enlarge petitioner No.1 on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

BKS/-

U		T	
---	--	---	--

