

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65435 of 2018

Arising Out of PS. Case No.-116 Year-2015 Thana- JAYNAGAR District- Madhubani

Ram Pukar Yadav, Son of Bishundeo Yadav, Resident of Village-Madhiya,P.S.
Basopatti,Distt.-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 13-12-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Section 414 of the Indian Penal Code and Sections 25(1-B)a/26/35 of the Arms Act.

The prosecution case as per the self statement of Srikant Kumar, Station House Officer of Jainagar Police Station is to the effect that in order to conduct a raid, the informant along with other police personnel proceeded on 24.05.2015 at 10.30 P.M. and on the way, he came to know that Jaynarayan Yadav has been shot at by Jamun Yadav and he escaped in the eastern side along with his associates. Subsequently, co-accused Deo Narayan Yadav was apprehended near the Shila Nath Middle School along with co-accused Ram Babu Ram, who



disclosed the name of the persons including the petitioner, who escaped from the scene.

It is submitted by learned counsel for the petitioner that the accusation of assault is against co-accused Deo Narayan Yadav @ Jamun Yadav and it is further submitted that there is no recovery from the petitioner. The injured has also named Deo Narayan Yadav only. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the name of the petitioner sprang up on confession of co-accused.

Considering the fact that the name of the petitioner sprang up in confession of co-accused and there is no recovery from the petitioner coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Benipatti, Madhubani in connection with Jainagar P.S. Case No. 116 of



2015, subject to the conditions as laid down under Section
438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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