

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.31437 of 2018**

Arising Out of PS.Case No. -206 Year- 2015 Thana -JHAJHA District- JAMUI

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Bijay Yadav S/o Kaleshwar Yadav, R/o Vill.- Dhamana, P.S.- Jhajha,  
District- Jamui.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance:**

For the Petitioner/s : Mr. Umesh Prasad

For the Opposite Party/s : Mr. Shantanu Kumar

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA**  
**JAISWAL**  
ORAL ORDER

2      22-05-2018                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner seeks bail in a case registered for the  
offence punishable under Sections 399 and 402 of the Indian Penal  
Code and Sections 25(1-b)a, 26 and 35 of the Arms Act.

On a tip off about congregation of several accused  
persons at the place of occurrence for committing dacoity, police  
raided the aforesaid place and apprehended five accused persons  
while five accused persons managed to escape. From possession  
of the apprehended accused persons, arms and ammunitions were  
recovered. Apprehended accused persons disclosed the name of  
the petitioner as one of their fleeing accomplices.

It is submitted by learned counsel for the petitioner



that the petitioner has no concern with the aforesaid occurrence. He was not apprehended on the spot. No incriminating article has been recovered from the conscious physical possession of the petitioner. He has been falsely implicated in the case at the instance of apprehended accused persons. There is nothing in the record indicating the complicity of the petitioner in the occurrence barring confessional statement of co-accused. Though two more criminal cases have been lodged against the petitioner, but he is on bail in the aforesaid cases. He has been languishing in custody since 17.10.2017. Co-accused, namely, Talo Soren and Balmiki @ Balmukund Yadav have been enlarged on bail vide Cr. Misc. No. 5293 of 2016 dated 15.02.2016 and Yogi Yadav @ Yogendra Yadav vide Cr. Misc. No. 27821 of 2016 dated 13.07.2016 by different co-ordinate benches of this Court.

Considering the facts aforesaid, the above named petitioner 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 the learned A.D.J.-I, Jamui in connection with Jhajha P.S. Case No. 206 of 2015.

**(Prakash Chandra Jaiswal, J)**

Mishra/-

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