

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.49170 of 2018**

Arising Out of PS. Case No.-61 Year-2018 Thana- KAUWAKOL District- Nawada

Nandu Yadav, Son of Baso Yadav, Resident of Village- Rouni Dih, P.S.- Roh,  
District Nawada.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Opposite Party/s : Mr. Sri Kumar Ranjit Ranjan

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

3      26-11-2018                      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 Sections 147, 148, 149, 341, 323, 504, 506, 384 and 379 of the Indian Penal Code.

According to F.I.R., some miscreants looted away the rifle and gun of the informant near the *Bazaar*. One *Chandan Yadav* was identified, who had put his rifle at the chest of the informant at the time of occurrence. Later on villagers stated that the petitioner and others were also along with *Chandan Yadav*.

Submission of the learned counsel for the petitioner is that the witnesses who were accompanying the informant were examined by the Police and they stated that petitioner was also miscreant. However, there is no reason to not to disclose the name



of the petitioner as miscreant in the F.I.R., if witnesses had identified him at the time of occurrence. Some other witnesses of the alleged place of occurrence have stated that no such occurrence ever took place. The aforesaid creates doubt on the prosecution version. Moreover, there may be a case that the arms were looted by the *Naxalites* when the informant had gone to prey animals. The petitioner has got no criminal antecedent.

Considering the entire facts aforesaid, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Kawakole (Rupau) Police Station Case No.61 of 2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully co-operate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

**(Birendra Kumar, J)**

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