

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34329 of 2018

Arising Out of PS.Case No. -6 Year- 2018 Thana -BHAIRABASHTHAN District- MADHUBANI

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1. Lotan Kumar Yadav, Son of Ram Bahadur Yadav @ Rambabu Yadav,
Resident of Village- Phulhar, P.S.- Harlakhi, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur, Adv.

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-06-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner, in the present case, is seeking regular bail in connection with Bhairabasthan P.S. Case No. 06/2018, registered for offences alleged under Sections 399/402/413/414/467/468/471 and 420 of the Indian Penal Code.

Learned counsel for the petitioner submits that from perusal of the F.I.R, which is based on the self statement of the Sub-Inspector of Police, it would appear that he had apprehended only three named accused persons who are Murari Singh, Rakesh



Kumar Sah and Bansal Kumar Shukla. The F.I.R does not talk of arrest of this petitioner on the spot. However, the name of the petitioner was disclosed by the accused persons who were arrested by the police on the spot. It is submitted that later on this petitioner has been arrested at a place falling within the jurisdiction of another police station in the district Darbhanga by the informant. The two witnesses, who have signed the arrest memo of this petitioner, are not the residence of the area in which the petitioner has been arrested. It is thus submitted that the petitioner has been falsely implicated in the present case. Learned counsel submits that the petitioner has no criminal antecedent and further that the Jyotish Kumar Paswan whose name was also disclosed by the arrested persons has been granted privilege of regular bail by a learned co-ordinate Bench of this Court in Cr. Misc. No. 26089 of 2018

Learned APP for the State is present.

Considering the facts and circumstances of the case as also the submission of the petitioner with regard to the arrest memo and further that the petitioner has no criminal antecedent and he is in jail since 02.02.2018, let the petitioner, above named, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the



satisfaction of the learned A.C.J.M, Jhanjharpur, Madhubani in connection with Bhairabasthan P.S. Case No. 06/2018, subject to the conditions U/S 437(3) Cr.P.C.

(Rajeev Ranjan Prasad, J)

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