

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52751 of 2018

Arising Out of PS. Case No.-10 Year-2006 Thana- ADHAOURA District- Bhabhua (Kaimur)

Kamta Yadav @ Kamta Singh S/o Kulbansh Yadav, R/o Vill.- Dhansa, P.S.-
Rotas, District- Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan
For the Opposite Party/s : Smt Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 01-11-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 147, 148, 149, 435, 436, 427, 458, 302, 395 of the Indian Penal Code, 10 and 13 of Unlawful Activities Act, 27 of the Arms Act and 17 of C.L. Act.

The prosecution allegation, in short, is that while the informant along with his driver was sitting in his Dalan, the accused persons came and attacked on his house and killed his father and brother and looted the belongings.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the



present case. The petitioner is not named in the F.I.R. His name has transpired in the present case after eight long years. There is no eye witness to the alleged occurrence nor any circumstantial evidence to suggest his implication in the present case.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Kaimur at Bhabua in connection with Adhoura P.S. Case No. 10 of 2006, G.R. No. 1317/06, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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