

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4949 of 2019

Arising Out of PS. Case No.-277 Year-2018 Thana- KHAJANCHI HAT District- Purnia

Lalan Yadav @ Lalan Kumar Yadav, Aged about 24 years (male), Son of
Bhumi Yadav, Resident of Village-Bhokraha, P.S.- K. Nagar, District-Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan

For the Opposite Party/s : Mr. Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 30-01-2019 Heard learned counsels for the petitioner and the
State.

The petitioner is languishing in custody since 17.09.2018 in a case registered for the offences punishable under Sections 399 and 402 of the IPC and Section 25(1-B)a, 26 and 35 of the Arms Act.

The prosecution case, as per the self statement of Santosh Kumar Nirala, S.H.O. of K. Hat P.S. dated 27.04.2018 is to the effect that on the same day at about 03.35 P.M., the informant was investigating a case in the housing board colony when he received information that some miscreants are planning to



commit *dacoity*, whereupon the informant along with other police personal reached at the housing board colony and found that three motorcycles were parked near the quarter number 203 and some persons were also standing their. On seeing the police party, they started fleeing away and on chase being made, three accuses persons, namely Rahul Kumar Singh, Aman Kumar Singh and Hemant Yadav were apprehended. From their possession, arms, live cartridges, a motorcycle and other articles were recovered and they also confessed that they were going to commit theft. The apprehended accused persons disclosed the name of the petitioner as a person who escaped from the scene.

It is submitted by the learned counsel for the petitioner that the confessional statement of the apprehended person is not of much value and in fact, no recovery has been made from the physical possession of the petitioner. It is further submitted that the investigation has already been concluded.

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

Considering the fact that the name of the petitioner sprang up only on the confession of the co-accused persons and the investigation has already been concluded, let the above



named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned **C.J.M., Purnea** in connection with **K. Hat P.S. Case No.277 of 2018.**

Since the petitioner is involved in two other cases of similar nature, the learned Court below would be at liberty to cancel the bail bonds of the petitioner, if the petitioner defaults for two consecutive occasions or gets involved in similar nature of offence.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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