

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.14732 of 2019**

Arising Out of PS. Case No.-45 Year-2007 Thana- DUMARIYA District- Gaya

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Ramjatan Yadav, Son of Sri Mohan Yadav, Resident of Village- Hurnath, P.S.-  
Dumariya, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. S. Jamil Akhtar, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA  
ORAL ORDER**

4      02-09-2019                      This is an application for grant of anticipatory bail in connection with Dumariya P.S. Case No. 45 of 2007, disclosing offences under Sections 147, 148, 149, 323, 341, 342, 427, 435, 379, 307 of IPC and Section 27 of the Arms Act.

F.I.R. was lodged against unknown persons with an allegation that 40-50 unknown persons came and harvested the crops of the informant. Later on, it appears that name of the petitioner transpires in the confessional statement of the co-accused Manoj Bhuuan.

Submission of learned counsel for the petitioner is that the names of the petitioner transpires in the confessional statement of the co-accused and except the same, there is nothing against him and considering the same, one co-accused has been granted anticipatory bail by a Co-ordinate Bench of



this Court, vide order dated 19.07.2019 passed in Criminal Misc. No. 43502 of 2018.

Heard learned APP as well as learned counsel appearing on behalf of the informant, they have opposed the prayer for anticipatory bail on the ground that para 207 and 208 of the case diary disclosed that process under Section 82 of Cr.P.C. was also issued against the petitioner on 28.11.2018.

Having heard both sides, in view of the facts and circumstances, as stated above, this application is disposed of with a direction to the learned court below to verify the facts, as to whether the execution report of the process under Section 82 Cr.P.C. against the petitioner has been received or not and he has been declared absconder under Section 82 Cr.P.C, if not, the petitioner will be released on bail to the satisfaction of the learned court below itself otherwise he has to surrender and pray for regular bail.

With the aforesaid observations, this application is disposed of.

**(Vinod Kumar Sinha, J)**

Sunil Shukla/-

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