

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20320 of 2019

Arising Out of PS. Case No.-391 Year-2018 Thana- NARPATGANJ District- Araria

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YOGANAND KUMAR ROY @ JOGANAND RAY, Son of Phoolchand Roy,
Resident of Village - Nathpur, P.S.- Narpatganj, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh

For the Opposite Party/s : Ms. Shaheen Begum

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 12-04-2019 Heard learned counsels for the petitioner and the

State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 399 and 402 of the IPC.

The prosecution case, as per the self statement of Sunil Kumar, being S.H.O. of Narpatganj P.S. recorded on 28.06.2018 at 04.30 P.M. near D.S. Fuel, Nathpur is to the effect that the informant received a secret information that some miscreants are preparing to commit dacoity, consequently, a raid was laid and four persons were apprehended, but one person managed to



escape from the scene. From the possession of apprehended accused persons, arms, mobile phones and live cartridges were recovered. The name of the petitioner sprang up on the confessional statement of apprehended co-accused Ripun Kumar, as the person who escaped from the scene.

It is submitted by the learned counsel for the petitioner that neither the petitioner was apprehended from the place of occurrence nor any incriminating articles have been recovered from the conscious physical possession of the petitioner and only on the basis of confessional statement of apprehended co-accused Ripun Kumar, the petitioner has been roped in the present case.

It is submitted by the learned APP for the State that the petitioner was found fleeing away from the place of occurrence.

Considering the fact that the petitioner was not being apprehended from the place of occurrence and nothing has been recovery from the conscious physical possession of the petitioner, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of



learned **CJM, Araria**, in connection with **Narpatganj P.S.**
Case No. 391 of 2018, subject to the condition as laid down
under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

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