

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23759 of 2019

Arising Out of PS. Case No.-20 Year-2019 Thana- JAGDISHPUR District- Bhojpur

Thudi Yadav @ Tudi Yadav, Son of Sri Dinanath Yadav, resident of Village-
Babhaniyawn, Police Station-Jagdishpur in the district of Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar

For the Opposite Party/s : Mr. Ashok Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 12-04-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in Jagdishpur P.S. Case No.20 of
2019 registered under Section 393/414 of the Indian Penal Code
and Section 25 (1-b) a, 26 and 35 of the Arms Act.

Three accused persons standing with two motorcycles
tried to escape seeing the police party. Out of them one Raju
Kumar was apprehended along with one loaded country made
pistol and one live cartridge. The apprehended accused
disclosed the name of the petitioner as one of his fleeing
accomplices.

It is submitted by learned counsel for the petitioner that
no incriminating article has been recovered from the conscious



physical possession of the petitioner. The petitioner has committed no offence and has no concern with the aforesaid occurrence. He was not apprehended on the spot. He has been falsely implicated in this case. There is nothing in the record indicating the complicity of the petitioner in the occurrence barring the confessional statement of co-accused Raju Kumar, which has no evidentiary value in the eye of law. Though one more criminal case has been lodged against the petitioner but he is on bail in the said case. The petitioner has been languishing in custody since 04.02.2019.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-XI, Bhojpur at Ara in connection with Jagdishpur P.S. Case No.20 of 2019.

(Prakash Chandra Jaiswal, J)

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