

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26799 of 2019

Arising Out of PS. Case No.-127 Year-2018 Thana- SURYAPUR District- Rohtas

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YOGENDRA YADAV @ YOGENDRA SINGH @ YOGANDRA SINGH
Son of Late Ram Kumar Singh Resident of Village - Agrer Kala Tola, P.S.-
Suryapura, Dist.- Rohtas at Sasaram.

... .. Petitioner.

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Babu Nandan Prasad

For the Opposite Party/s : Mr. Sucheta Yadav

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

ORAL ORDER

4 25-07-2019 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341 & 504/34 of the Indian Penal Code, Section 25 (1-b)a, 26 & 35 Arms Act and Section 37 (b) (c) of the Bihar Prohibition and Excise Act, 2016.

While the informant was proceeding to his house on the car four unknown miscreants tried to intercept him. The informant any how managed to escape to speeding up his car on the way. Several villagers rushed there responding hulla made by him and apprehended three accused persons, namely, Munna Yadav, Amit Kumar @ Anshu Kumar



and Yogendra Yadav and recovered one country made pistol and two live cartridges from the possession of Munna Yadav, one pulsar motorcycle from the possession of Amit Kumar and one mobile from the possession of Yogendra Yadav. In the meantime, Yogendra Yadav managed to escape from the door of the informant.

Learned counsel for the petitioner submitted that no such occurrence as alleged ever took place. The petitioner is quite innocent and has been falsely implicated in this case. There is case and counter case between the parties. As a matter of fact, there was scuffle between the informant and the petitioner over some petty dispute and in the meantime the villagers rushed there and snatched the mobile of the petitioner. However, the petitioner managed to escape scaring assault at the hands of the aforesaid persons. The aforesaid mobile was handed over to the police by the informant. The aforesaid articles were not seized by the police rather it was handed over by the informant. Petitioner has no criminal antecedent.

Learned APP for the State opposed the bail petition.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the



event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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 2nd Additional District and Sessions Judge-cum-Special Judge Excise, Rohtas at Sasaram in connection with Suryapura P.S. Case No. 127 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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