

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47195 of 2019

Arising Out of PS. Case No.-139 Year-2018 Thana- BARACHATTI District- Gaya

RAJESH KUMAR @ RAJESH YADAV Son of Amarjit Yadav @ Lakhan
Yadav Resident of Village - Garahitari, P.O. and P.S.- Barachatti, Distt - Gaya.
... .. Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Shyamal Krishna Sinha
For the Opposite Party/s : Mr. Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 30-07-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Barachatti P.S. Case No. 139 of 2018 for the offence punishable under Sections 147, 148, 149, 307, 384 and 386 of the Indian Penal Code, Section 25(1-B)A, 26 and 27 of the Arms Act, Sections 3 and 4 of the Explosive Substance Act and Sections 16, 18, 20 and 22 of U.A.P.A. Act.

Considering the submission made on behalf of the petitioner that his name has surfaced on the basis of confessional statement of the co-accused only and in similar circumstance, this Court has granted anticipatory bail to other co-accused person by order dated 28.08.2018 passed in Cr. Misc. No. 46851 of 2018, this application is allowed.

Let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below,



be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Sherghati, Gaya, in Barachatti P.S. Case No. 139 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

It is, however, directed that the petitioner shall himself present before the Officer In-charge of the police station within one week from the date he furnishes his bail bonds in the light of the present order for the purpose of interrogation. It is also directed that he shall present himself before the police and Court as and when required for the purpose of investigation or enquiry. The prosecution shall be at liberty to approach this Court for cancellation of his bail for appropriate reasons. These observations, I have made noticing the gravity of the offence alleged against the petitioner, despite which I have allowed anticipatory bail so as to maintain consistency, in the background of the fact that similarly circumstanced co-accused person has been allowed anticipatory bail by this Court.

(Chakradhari Sharan Singh, J)

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