

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47178 of 2019

Arising Out of PS. Case No.-313 Year-2019 Thana- BHABHUA District- Kaimur (Bhabua)

Sunil Yadav @ Sunil Kumar @ Sunil Kumar Yadav, S/O Sarvjeet Yadav @ Vinod Yadav Resident of village- Khatwar, P.S.- Sadiyabad, Dist- Gajipur at present R/O- Sa- 8/34-226-S Buddha City Colony, Phase-2, Parshurampur Sarnath, Near Brahmkumari Road Varanasi, Dist- Varanasi (U.P.).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate
Mr. Vinod Kumar Seth, Advocate
For the Opposite Party/s : Mr. Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 30-07-2019 Heard leaned counsel for the petitioner and the leaned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Bhabua P.S. Case No. 313 of 2019, registered under Sections 401, 353, 427, 413, 414, 307 and 216(A)/34 of the Indian Penal Code and Section 25(1-B)A, 26 and 35 of the Arms Act, pending in the court of the Chief Judicial Magistrate, Bhabua (Kaimur).

The accusation is that on receiving the secret information about the movement of five notorious criminals from Uttar Pradesh via Bhabua for committing heinous crime, the informant and other Police officials started checking of the



vehicles. In course of checking of the vehicle, one Fortuner vehicle bearing registration No. UP65DK-0077 was seen. Thereafter, informant gave signal to stop the vehicle, but driver of the vehicle accelerated the vehicle and moved towards Bhabua town and dashed the vehicle of SDPO. In the meantime, some persons started fleeing while one person was apprehended, who disclosed his name as Pawan Yadav from whose possession, one country made pistol, mobile and cash of Rs. 5000/- recovered. The apprehend person also disclosed the name of Sunil Yadav (petitioner), Sushil Yadav, Rudal Yadav and Vicky Yadav.

Learned counsel appearing on behalf of the petitioner submits that petitioner was not apprehended on the spot, rather, his name had been disclosed by Pawan Yadav in his confessional statement from whose possession one country made pistol was recovered. Further submission is that petitioner is the owner of the vehicle due to that reasons, the petitioner has falsely been implicated in this case.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands



rejected. The petitioner is directed to surrender before the trial Court within four weeks and pray for regular bail, which would be considered by the trial Court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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