

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79733 of 2019

Arising Out of PS. Case No.-222 Year-2019 Thana- DURGAWATI District- Kaimur (Bhabua)

KOMAL BIND Son of Pyare Bind @ Ram Pyare Bind R/o Village-
Bhagwanpur (Jagariya), P.S.- Chainpur, District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. Ajay Kumar

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 05-12-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Durgawati P.S. Case No.222 of 2019/Gr. No.1778 of 2019 registered under Sections 401, 411, 413 and 414/34 of the Indian Penal Code.

The accusation is that on receiving the secret information to the effect that the accused of theft cases, namely, Jaikant Singh, after releasing from the jail, had come at the house of Monu Yadav, son of Sukhdeo Yadav, in village- Babhanpura, to sell the theft mobile, the informant along with other police personnel proceeded for there and when reached at the house of Monu Yadav, son of Sukhdeo Yadav, then saw that



one person on seeing the police party started to flee away. On chase, he was apprehended, who disclosed his name as Monu Yadav, son of Sukhdeo Yadav and, on search, he was found in possession of one mobile. On query, he did not produce the paper regarding the mobile rather he disclosed that Jaikant Singh, Banshi Ram, Anil Patel, Rajesh Kumar, Komal Bind (petitioner) and Naga Singh had been sent to jail from Bhabua Police Station and he has purchased the seized mobile from Jaikant Singh on payment of Rs.1800/-.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that the petitioner was not apprehended on the spot nor any incriminating was recovered from his house. Because the petitioner is named accused along with others in one case, as detailed in paragraph-3 to this application, due to that reason, the police falsely implicated the petitioner in the present case.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Kaimur



at Bhabua, in connection with Durgawati P.S. Case No.222 of
2019, subject to the conditions laid down under Section 438(2)
Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

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