

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.5701 of 2020**

Arising Out of PS. Case No.-353 Year-2019 Thana- MUFFASIL District- West Champaran

SUBASH YADAV @ SUBHASH YADAV S/o Bhulan Yadav R/o village-
North Telhua, P.S.- Nautan, District- West Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar,Advocate

For the Opposite Party/s : Mr.Rabindra Kumar,APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 18-06-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in the present case is seeking anticipatory bail in connection with Bettiah (M) Manuwapal P.S. Case No. 353 of 2019 registered for offences punishable under Sections 413/414/34 of Indian Penal Code and 25(1-b)a/26/35 of Arms Act.

Learned counsel for the petitioner submits that the name of the petitioner has allegedly transpired in the statement of the apprehended accused however it is nothing but a concocted story created by police by way of confessional statement of the co-accused. Learned counsel submits that save and except that the name of the petitioner has transpired in the confessional statement of the co-accused, there is absolutely no



material to connect him with this case and nothing has come in the case diary against the petitioner who has otherwise no criminal antecedent.

Learned APP for the State has though opposed the prayer for anticipatory bail of the petitioner however considering the submissions of the petitioner that he has been falsely implicated on account of old enmity with the family of the co-accused Badal Sahni and that nothing has been recovered from the possession of the petitioner as also that he has no criminal antecedent, let the petitioner above named in the event of his arrest or surrender within a period of four weeks from today in connection with Bettiah (M) Manuwapal P.S. Case No. 353 of 2019 be released on bail on furnishing of bail bonds of Rs. 25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any



person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

SUSHMA2/Arvind

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

