

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13386 of 2020

Arising Out of PS. Case No.-325 Year-2019 Thana- KONCH District- Gaya

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LALU KUMAR @ RAJESH KUMAR Son of Sadhu Sharan Yadav Resident
of Village - Repura, P.S.- Kurtha, Distt - Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Choubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-06-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders”
under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 414, 34 of the Indian Penal Code and
25(1-b)A, 26, 35 of the Arms Act.

Prosecution case in short is that on the secrete information
of some miscreant, the informant along with police personnel
reached towards Nitish house and on seeing them, three yough
started running but one of them namely Dharmraj was arrested
and on search, one loaded Katta and mobile was recovered from



him.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner's name transpired in this case on the basis of disclosure made by co-accused Dharmraj. Except for suspicion, there is no other substantive evidence to suggest the implication of the petitioner in the present case. There is no recovery of any incriminating article from possession of the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Additional Chief Judicial Magistrate-III, Gaya in connection with Konch P.S. Case No. 325 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with



two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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