

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25461 of 2020

Arising Out of PS. Case No.-67 Year-2020 Thana- GWALPARA District- Madhepura

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AMRENDRA @ AMRENDRA YADAV @ NATHO YADAV Son of Late
Kamal Yadav Resident of Village- Jhitkiya, P.S.- Gwalpara (Arar O.P.),
District- Madhepura.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

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Appearance :

For the Petitioner : Mr. Shailendra Kumar Singh, Advocate.
For the State : Mr. Mritunjay Kumar Nirala, A.P.P.

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

ORAL ORDER

2 21-10-2020 In view of the submission and undertaking of the

learned counsel for the petitioner, at the time of hearing of this

application, through Video Conferencing, that he would remove

the defect(s), as pointed out by the office vide its notes dated

21.09.2020, within two weeks of starting of the Court

proceeding in physical mode, he is permitted to remove the

same accordingly.

Heard learned counsel for the petitioner and the
learned A.P.P. for the State, through Video Conferencing.

The petitioner apprehends his arrest in connection
with Gwalpara (Arar O.P.) P.S. Case No.67 of 2020 registered
under Sections 399 and 402 of the Indian Penal Code besides
Sections 25(1-B)a, 26 and 35 of the Arms Act.



The accusation is that on receiving the information about gathering of some miscreants, after release from jail, to commit the heinous crime near Jairam Parsi Chowk, the informant along with other police personnel reached there and saw a motorcycle standing there beside which six persons were talking to each other. On seeing the police party, all persons started to flee away from there towards the maize field but, on chase, two persons were apprehended, who disclosed their name as Raman Yadav and Inkesh Kumar. On search, Raman Yadav was found in possession of one loaded country made pistol and one live cartridge, whereas Inkesh Kumar was found in possession of two live cartridges. On query, the apprehended persons disclosed the name of four other persons including the petitioner, who succeeded to flee away.

Learned counsel for the petitioner submits that, in fact, the petitioner is the father of the co-accused Raman Yadav, who is said to be apprehended by the police with one loaded country made pistol and one live cartridge and the police got managed to implicate the petitioner falsely in this case showing the confessional statement of his son Raman Yadav as the petitioner is accused in two other cases, as detailed in paragraph-3 to this application, in which he is on bail.



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 Sri Shiv Kumar, Judicial Magistrate, First Class, Uda-kishunganj, Madhepura, in connection with Gwalpara (Arar O.P.) P.S. Case No.67 of 2020, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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