

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30350 of 2020

Arising Out of PS. Case No.-280 Year-2019 Thana- SAHEBPUR KAMAL District-
Begusarai

-
1. Ram Vilash Yadav Son of Chamru Yadav @ Chamru Prasad Yadav Resident of Village- Srinagar, P.S.- Sahebpur Kamal, Dist- Begusarai.
 2. Lalan Yadav Son of Brahamdeo Yadav Resident of Village- Srinagar, P.S.- Sahebpur Kamal, Dist- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Chaudhary, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 17-12-2020

Heard Mr. Alok Kumar Chaudhary, learned counsel for the petitioners and Mr. Arbind Kumar Pandey, learned APP for the State.

He seeks permission to withdraw the application with respect to petitioner no. 1 who has since been arrested.

The petition on behalf of petitioner no. 1 is dismissed as having become infructuous.

The petitioner no. 2/Lalan Yadav seeks bail in anticipation of his arrest in connection with S. Kamal P.S. Case No. 280 of 2019 dated 11.09.2019 instituted for the offences under Sections 147, 148, 149, 152, 212, 216, 216(A), 224, 225, 353, 323 and 307 of the Indian Penal Code.



Though the petitioner no. 2 has been named in the FIR along with many other accused persons as having managed to have an arrested accused person *viz.* Ajay Yadav freed from the clutches of the police.

Learned counsel for the petitioner no. 2 has submitted that from the FIR itself, it would appear that the fugitive accused/Ajay Yadav was arrested while he was convening a meeting in the village.

The petitioner no. 2 admits of having participated in the meeting but only because he was seen in the meeting, he has been named by the local persons as amongst the accused persons who had managed to let the arrestee flee from the clutches of the police.

Under similar circumstances one of the accused persons *viz.* Amni Yadav has been granted anticipatory bail *vide* order dated 30.06.2020 passed in Cr. Misc. No. 80871 of 2019.

Regard being had to the aforestated facts, the petitioner no. 2 Lalan Yadav is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of ten weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount



each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with S. Kamal P.S. Case No. 280 of 2019, subject to the conditions as laid down under Section 438(2) Cr.P.C.

While saying so, the Court has also taken note of the fact that petitioner no. 2 does not have any criminal antecedents.

(Ashutosh Kumar, J)

krishna/-

U		T	
---	--	---	--

