

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1076 of 2020

Arising Out of PS. Case No.-165 Year-2016 Thana- DULHIN BAZAR District- Patna

MAHENDRA YADAV @ KING MAHENDRA Son of Keshr Singh Resident
of Village - Nandlal Chhapra P.S.- Ram Krishna Nagar, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vishwa Ranjan Choudhary

For the Opposite Party/s : Mr.Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 24-02-2020 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 399 and 402 of the IPC and Sections 25(1-B) a, 26 and 35 of the Arms Act.

The prosecution case is that on secret information that the miscreants are planning to commit dacoity, the vehicles were being checked when one white Tavera vehilce was found coming which was signalled to stop but on seeing the police party, all the persons sitting in the vehicle started fleeing away. On chase, one person was apprehended who disclosed the name of other co-accused persons. It is further alleged that from the possession of apprehended accused Mukesh, arms were recovered.

It is submitted by learned counsel for the petitioner that the petitioner was not arrested on the spot. Though the petitioner



is accused in one another case, but he is on anticipatory bail in that case.

Learned APP submits that the petitioner was made accused on the statement of the co-accused who was apprehended from the spot.

Considering the fact that the petitioner was not arrested from the spot and apart from the confessional statement of apprehended co-accused, no cogent material has been collected, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM II, Danapur in connection with Dulhin Bazar P.S. Case No.165 of 2016 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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