

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85290 of 2019

Arising Out of PS. Case No.-68 Year-2019 Thana- AMBA District- Aurangabad

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Dharmendra Yadav @ Dharmendra Kumar, Son of Bansi Yadav Resident of
Village - Turi, P.S.- Hariharganj, Distt.- Palamu (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Shailendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 24-02-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 353, 307, 124A of the Indian Penal Code, Section 27 of the Arms Act and Section 17 of Criminal Law Amendment Act.

The prosecution case as per the self statement of Shyam Kishore Singh, S.H.O. of Navinagar Police Station recorded on 19.07.2019 at 6.30 A.M. near Batane River Bridge in the district of Aurangabad, is to the effect that secret information was received by the informant to the effect that the Naxal Commander, Pramod Mishra and Sandeep Yadav are planning to damage under construction bridge and to kill the labourers and employees of the construction agency, consequently, a raid was laid, when on seeing the police party



the miscreants, 33 in number, resorted to fire on the police party. However, no injury was caused to anyone, leading to registration of the FIR against 33 named accused persons. The petitioner was not named in the FIR, but during investigation, the name of the petitioner sprang up in the confession of co-accused Raju Yadav @ Raju Ranjan.

It is submitted by learned counsel for the petitioner neither there is any recovery of firearms from the possession of the petitioner nor anyone received any injury. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the name of the petitioner sprang up during investigation in the confession of co-accused.

Considering the fact that the name of the petitioner sprang up in the confessional statement of co-accused and no recovery has been made from the possession of the petitioner, coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the



like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Amba P.S. Case No. 68 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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