

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13328 of 2020

Arising Out of PS. Case No.-105 Year-2017 Thana- CHANDRAMANDI District- Jamui

1. RAVINDRA YADAV @ RABINDAR S/o Umesh Yadav R/o village- Kairi, P.S.- Sono, District- Jamui
2. Binay Yadav @ Bimal Yadav @ Bhimal Yadav S/o Govind Yadav R/o village- Kairi, P.S.- Sono, District- Jamui

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-02-2021 Counsel for the petitioners seeks permission to withdraw the present application on behalf of petitioner No.1 as the petitioner No.1 has been taken into judicial custody.

Permission is accorded.

The application on behalf of petitioner No.1 is dismissed as withdrawn.

Heard learned counsel for the petitioner No.2 and learned APP for the State.

The petitioner No.2 is apprehending his arrest in a case registered under Section 399, 402 of the Indian Penal Code and Sections 25(1-B)a/26 of the Arms Act.

Prosecution case, in short, is that on 19.10.2017 at



about 0.30 in the night the informant along with other police personnel was on patrolling duty and saw that 4-5 persons were found beside the office of Forest Department in a bush and on seeing the police party the accused persons wanted to escape, but on chase one person was caught, who disclosed his name as Rinku Yadav and on search one country made pistol was recovered from his waist.

It has been submitted on behalf of the petitioner No.2 that the petitioner No.2 has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner No.2. The petitioner No.2 has falsely been implicated in the present case. The name of the petitioner No.2 has transpired in this case on disclosure made by co-accused. There is no recovery of arms from the possession of the petitioner.

On behalf of the State, it is submitted that the petitioner No.2 is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner No.2, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri K.K.



Deo, Judicial Magistrate, 1st class, Jamui in connection with Chandramadih P.S. case No.105 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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

