

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40670 of 2020

Arising Out of PS. Case No.-20 Year-2016 Thana- PHULWARIYA District- Gopalganj

MANTU YADAV @ MANTU KUMAR YADAV SON OF RAMNAGINA
YADAV RESIDENT OF VILLAGE AND PO LAMICHAUR, PS- BHOOREY
DISTRICT- GOPALGANJ

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suresh Prasad Bhakta, Advocate
For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 03-08-2021 Heard Mr. Suresh Prasad Bhakta, learned Advocate for the petitioner and Mr. Ram Priya Sharan Singh, learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Phulwariya P.S. Case No. 20 of 2016 dated 09.03.2016 instituted for the offences under Sections 307, 353, 427 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

The police party was fired upon by unknown miscreants traveling in a Gypsy vehicle. Some of the police personnel were injured in the occurrence.

The petitioner has not been named in the FIR. His implication in this case is on the basis of the confession made by one Subhawati Devi and Naushad Alam. Aforesaid two persons have disclosed that the



petitioner had also participated in the occurrence.

Learned counsel for the petitioner has submitted that apart from the confession of two of the aforementioned co-accused persons, there is no other material to connect the petitioner with the offence.

The petitioner has got clean antecedents.

Regard being had to the fact that the implication of the petitioner is only on the basis of confession of an arrested accused person, he is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight 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 Additional Chief Judicial Magistrate XIII, Gopalganj in connection with Phulwariya P.S. Case No. 20 of 2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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