

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41986 of 2022

Arising Out of PS. Case No.-138 Year-2022 Thana- RAGHOPUR District- Supaul

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SUNIL KUMAR YADAV S/O JAGAN YADAV Resident of village- Latauna,
Ward No- 3, P.S.- Triveniganj, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Patla Kumari, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 399 and 402 of the Indian Penal Code and Section 25 (1-b)a, 26 and 35 of the Arms Act.

The informant alleges that on 05.04.2022, on the basis of secret information he reached the place of occurrence and apprehended four motorcycle borne criminals, it is next alleged that country made pistol along with cartridges was recovered from Kanhaiya Chaudhary, thereafter, pistol and cartridges were recovered from Birendra Kumar Yadav, it is next alleged that pistol along with one live cartridge was recovered from Ashok Kumar Yadav and two country made pistols along with six live



cartridges were recovered from Ashish Kumar.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and has been falsely implicated in the present case, it is next submitted that petitioner was not apprehended at the spot as such nothing was recovered from his conscious possession, it is further submitted that petitioner is not named in the FIR and his name transpired in the confessional statement of apprehended accused in police custody which does not have any evidentiary value. Learned counsel next submits that petitioner will not evade the law rather would cooperate in the investigation and will present himself as and when required by the investigating officer of the case for arriving at the truth.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case



is pending/successor court in connection with Raghapur P.S.
Case No. 138 of 2022 subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

One of the bailor shall be the father of the petitioner
Jagan Yadav.

Further, in the event, if the investigating officer of the
case files an application before the learned trial Court bringing
to its notice that the petitioner despite giving assurance to this
Court is not cooperating in the investigation or is not presenting
himself when called the learned trial Court after giving an
opportunity of hearing to the petitioner shall pass orders in
accordance with law and shall also have liberty to cancel his
bail bonds.

The learned trial Court is directed to send the copy of
this Order to the concerned P.S.

(Satyavrat Verma, J)

GauravSinha/-

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