

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40261 of 2023

Arising Out of PS. Case No.-209 Year-2021 Thana- BELDOUR District- Khagaria

RAHUL KUMAR S/O BIRENDRA YADAV R/O Vill. Durgapur, PS.
Basnahi, Dist. Saharsa

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Advocate

For the Opposite Party/s : Ms. Sucheta Yadav, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-07-2023 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 392 and 412 of the Indian Penal Code, Sections 25 (1-b)a, 26 and 35 of the Arms Act and Section 37(c) of the Bihar Excise Act.

The informant alleges that apprehended accused were found drunk who disclosed the name of the petitioner and even arms and cartridges were also recovered from a place near a bridge.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent.



Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, it is next submitted that he came to be implicated based on confessional statement of co-accused in police custody which does not have any evidentiary value, it is further submitted that even alleged recovery of arms and cartridges is from a place near a bridge, it is next submitted petitioner will not abscond rather will cooperate in the investigation and will present himself as and when required by the investigating officer of the case for eliciting 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 and the fact that petitioner is a person with clean antecedent, 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. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount to the satisfaction of the learned trial court where



the case is pending/successor court in connection with
Beldaur P.S. Case No. 209 of 2021 subject to the conditions
as laid down under Section 438 (2) of the Cr.P.C.

One of the bailors of the petitioner shall be his
father Birendra Yadav.

(Satyavrat Verma, J)

GauravSinha/-

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