

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52443 of 2023

Arising Out of PS. Case No.-34 Year-2023 Thana- HASANPUR District- Samastipur

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SANJAY YADAV SON OF PUKAR YADAV RESIDENT OF VILLAGE-
BELA, PS- HASANPUR, DISTT- SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raja Ram Mishra, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 08-11-2023 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 384, 387, 290/34 of the Indian Penal Code, Section 27 of the Arms Act and Section 67 of the Information Technology Act.

3. As per prosecution case, on the alleged date and time of the occurrence, informant received a photograph on her mobile phone in which one Nitish Kumar was threatening the people for extortion by means of pistol. Later, when Nitish Kumar was arrested by the police, a mobile phone was found in his possession containing the aforesaid photograph. It is alleged that co-accused Nitish Kumar purchased the said pistol from this petitioner.

4. Learned counsel for the petitioner submits that



petitioner has been made accused in this case only on the basis of confessional statement of co-accused who was apprehended with arms. No arms and ammunition has been recovered from the conscious possession of the petitioner. Petitioner claims clean antecedent.

5. Considering the aforesaid facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-IV, Rosera, Samastipur in connection with Hasanpur P. S. Case No. 34 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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