

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4320 of 2024

Arising Out of PS. Case No.-100 Year-2021 Thana- AMARPUR District- Banka

Fucho Yadav @ Fuchcho Yadav SON OF FOTAN YADAV @ PHOTO
YADAV RESIDENT OF VILLAGE- BASUDEOPUR, PS- AMARPUR,
DISTT- BANKA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandan Prasad

For the Opposite Party/s : Mr. Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-02-2024 1. Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Amarpur P.S. Case No.100/2021 registered for the offence punishable under Sections 399, 402 of the Indian Penal Code & Sections 25(1-b)a 26, 35 of the Arms Act.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that the accused persons who were apprehended with pistol disclosed the name of the petitioner who fled from the place of occurrence. It is next submitted that petitioner has been falsely implicated in the present case when admittedly he is a person with clean antecedent and will not abscond rather will



co-operate in the investigation.

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

5. Considering the submissions made by the learned counsel for the petitioner and the fact that the petitioner is a person with clean antecedent, the petitioner above-named, in the event of his arrest or 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.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Banka in connection with Amarpur P.S. Case No.100/2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to his notice that the petitioner despite giving assurance to this court is not co-operating in the investigation in that event the learned trial court shall be at liberty to cancel the bail bond of the petitioner.

(Satyavrat Verma, J)

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