

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6097 of 2024

Arising Out of PS. Case No.-218 Year-2022 Thana- MADHEPUR District- Madhubani

Nagendra Yadav @nage Yadav Son of Mahendra Yadav Resident of Village-
Nima, Ps- Bheja, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 04-03-2024 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in connection with Madhepur P.S Case No. 218 of 2022 dated 15.10.2022 registered for the offence punishable u/s 393/414 I.P.C. and under Section 25 (1-b) a/26/35 of the Arms Act.

4. As per the prosecution case, police party got information that two miscreants on motorcycle were snatching mobile phones on the point of pistol, near peepal tree, State Boarding Chowk. To verify, the informant along with the police



personnel reached the said place and saw that many miscreants were gathered there and one person sitting behind motorcycle fled away on seeing police. Police approached the miscreants who were on the motorcycle and recovered a pistol from his possession. The apprehended accused person disclosed the name of the person who fled away as the petitioner.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has no concern with the theft of the Apache Motor Cycle and seized Arms. No incriminating article has been recovered from the conscious possession of the petitioner. The name of the petitioner was disclosed on the basis of the confessional statement of the co-accused *Rahul Pandey*. The petitioner has four criminal antecedents as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, as well as the allegation being general and omnibus against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond



of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Jhanjharpur, Madhubani in connection with Madhepur P.S Case No. 218 of 2022, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

8. This application stands allowed.

(Chandra Prakash Singh, J)

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