

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8835 of 2024

Arising Out of PS. Case No.-418 Year-2023 Thana- BISFI District- Madhubani

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Dharmvir Kumar@ Dhanveer Kumar Yadav SON OF UDAY CHANDRA
YADAV Resident of Village- Bhoj Pandaul Police Station - Bisfi District -
Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar, Advocate

For the Opposite Party/s : Mr. Ahmad Ali, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 27-02-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
354, 353, 279, 337 and 504/34 of the Indian Penal Code and
Section 37 of the Bihar Prohibition and Excise (Amendment)
Act, 2012.

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

4. Allegation is of recovery of mobile phone from the
possession of co-accused Rajesh Kumar who was apprehended
from the spot.

5. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was



recovered from his conscious possession and he came to be implicated based on the confessional statement of co-accused, namely, Rajesh Kumar in police custody which does not have any evidentiary value in the eye of law.

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

7. 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 Court below 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 court below where the case is pending/successor court in connection with Bisfi P.S. Case No. 418 of 2023, corresponding of G.R. No. 1521 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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