

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53201 of 2024

Arising Out of PS. Case No.-49 Year-2022 Thana- SIKANDRA District- Jamui

Vinod Yadav son of Umesh Yadav Village- Islamnagar Ps- Chandradeep Dist-
Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar

For the Opposite Party/s : Mr. Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 13-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Sikandra P.S. Case No. 49 of 2022, registered on 10.03.2022 for the offences under Section 399 and 402 of the Indian Penal Code and Sections 25(1-b)a, 26/35 of the Arms Act.

3. As per the prosecution case, on the basis of secret information a raid was conducted at certain identified place and four miscreants were apprehended along with firearm and ammunition. The apprehended co-accused persons disclosed the name of this petitioner and some other co-accused persons who fled away from the spot.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner was not



apprehended from the spot and nothing incriminating has been recovered from person or possession of the petitioner. Charge sheet has been submitted in this case. No offences are made out against the petitioner under Section 399 and 402 of the Indian Penal Code and Sections 25(1-b)a, 26/35 of the Arms Act. Learned counsel further submits that the petitioner is having one criminal antecedent but the said case was registered against unknown. Similarly situated co-accused has already been granted anticipatory bail by this Court vide order dated 05.07.2024 passed in Cr. Misc. No. 44566 of 2024.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the fact that petitioner was not apprehended from the spot and nothing incriminating has been recovered from his person or possession and further considering submission of charge sheet, the petitioner above named in the event of his arrest or surrender before the court concerned within a period of eight weeks be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of



learned Judicial Magistrate- 1st Class, Jamui, in connection with
Sikandra P.S. Case No. 49 of 2022, subject to the condition laid
down under Section 438(2) of the code of Criminal Procedure
and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the below, if so required by the learned trial court.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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