

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7114 of 2017

Arising Out of PS.Case No. -418 Year- 2012 Thana -BARACHATTI District- GAYA

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Upendra Yadav S/o Late Dahu Yadav R/o Village - Gafa (Nandua) P.S. -
Bodh Gaya, Dist. - Gaya.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Mr. Bharat Lal

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 07-03-2017 Supplementary affidavit has been filed on behalf of the

petitioner. The same may be kept on the record.

Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Barachatti (Mohanpur) P.S. Case No. 418 of 2012 for the
offences instituted under Sections 394 of the Indian Penal Code.

The allegation against the petitioner is that he in
collusion with other co-accused have cheated the informant by
snatching Rs. 2 lac, which was kept in the dickey of the
motorcycle of the informant.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation



of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case, due to mistake of fact. Except for the confessional statement of co-accused, there is no other material to suggest his implication in the present case. There is no recovery of any incriminating article from the possession of the petitioner.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Barachatti (Mohanpur) P.S. Case No. 418 of 2012 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Sherghati, Gaya, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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