

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.51615 of 2018**

Arising Out of PS. Case No.-337 Year-2018 Thana- KAHALGAON District- Bhagalpur

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Gopi Yadav S/o late Banwari Yadav R/o Village- Bhawanipur, Naya Tola, P.S.  
Rangra (Gopalpur), District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Manindra Kishore Singh

For the Opposite Party/s : Mr. Sri Shailendra Kumar -2

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2     08-10-2018             Heard the learned counsel for the petitioner and the  
learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Kahalgaon P.S. Case No. 337 of 2018 registered for the offence punishable under Sections 327, 409, 420 of the Indian Penal Code, Section 40 of the B.M.M.C. Rule, 1972 and Sections 6/8 of the B.M.R.C. Rule, 2003.

As per the F.I.R., allegation against the petitioner is of engaging in illegal collection from the drivers of overloaded trucks and police official seized cash of Rs. 10,22,180/- and further seized Rs. 2,00,850/- and also seized 12 ATM, seven pass books, 22 cheque Books, L.I.C. documents and seven



mobiles and registers and a seizure list was prepared and the apprehended co-accused persons namely Lalu Mandal and Bikash Pandit disclosed the name of the petitioner.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case only on the basis of the confessional statement of the co-accused person, namely, Lalu Mandal and in fact, nothing incriminating has been recovered from the possession of the petitioner. It is further submitted that the petitioner is having no criminal antecedent and similarly situated co-accused person, namely, Lalan Rai has been granted bail by this Court by an order dated 06.08.2018 passed in Criminal Miscellaneous No. 45659 of 2018.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Kahalgaon P.S. Case No. 337 of 2018, subject to the conditions as laid down under



Section 438(2) of the Code of Criminal Procedure.

**(Mohit Kumar Shah, J)**

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