

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19280 of 2019

Arising Out of PS. Case No.-3 Year-2015 Thana- MOHANIYA District- Kaimur (Bhabua)

1. BABLU YADAV @ DILESHWAR YADAV Son of Radheshyam @ Radheshaym Yadav Resident of Village- Pachkediya, P.S.- Chakiya, District- Chandauli (U.P.)
2. Balwant Yadav Son of Lallan Yadav Resident of Village- Isapur, P.S.- Chakiya, District- Chandauli, (U.P)

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioners	:	Mr. Tribhuwan Narayan, Advocate.
For the State	:	Dr. (Mrs.) Indihar Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

6 02-08-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their his arrest in connection with Mohania P.S. Case No.003 of 2015/Gr. No.10 of 2015 registered under Section 379 of the Indian Penal Code, pending in the court of the Chief Judicial Magistrate, Kaimur at Bhabua.

The accusation is that the informant parked his motorcycle in the evening of 31.12.2014 near Hanuman Temple at Chandni Chowk, Mohania and moved for purchasing the vegetable. When the informant returned, he did not find his motorcycle there. The informant raised suspicion about having the hand of Vikas Singh, son of Ramsurat Singh, of village-Ajgara, P.O. Avraiya, P.S. Kudra, who had given threatening to the informant.



Learned counsel appearing on behalf of the petitioners submits that the petitioners are not named in the F.I.R. In fact, Ahirarura P.S. Case No.452 of 2015 was instituted on 02.04.2015 under Sections 414, 411, 419, 420, 467, 468 and 471 of the Indian Penal Code against the petitioners and three others with the allegation that they had stolen motorcycle of the present case and in the aforesaid Ahiraura P.S. Case No.452 of 2015, the petitioners were apprehended by the police and, later on, they were released on bail.

Having considered the facts and the circumstances of the case and the nature of allegation against the petitioners, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, the prayer of the petitioners for grant of anticipatory bail stands rejected. However, the petitioners are directed to surrender before the trial court within four weeks from today and pray for regular bail, which shall be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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