

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64820 of 2018

Arising Out of PS. Case No.-285 Year-2010 Thana- SAHARSA District- Saharsa

Udit Kumar @ Udit Kumar Yadav, Son of Mahendra Yadav Resident of
Village - Tengraha, P.S. Salkhua, District - Saharsa

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Arun Kumar Rai, Advocate
For the Opposite Party : Mr. Md. Ansarul Hque, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 08-01-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 147, 341, 323, 307, 387, 379 and 506 of the Indian Penal Code registered in connection with Saharsa Sadar P.S. Case No. 285 of 2010.

3. It is submitted that the petitioner has been falsely implicated and in any event, other accused persons have been acquitted by judgment dated 14.03.2011 passed by learned Additional Sessions Judge, Fast Track Court-I, Saharsa in Trial No. 64 of 2011. It is submitted that the petitioner had no knowledge about the case of his having been implicated inasmuch as in the FIR petitioner's name appeared without stating his parentage and only mentioning the resident of village Salkhua whereas the name of the village of the petitioner *Tengraha* was not mentioned.

4. Learned APP, on the other hand, refers to paragraph 74 of the case diary to submit that the raid was conducted on the petitioner's house as far back as on 25.11.2015 and as such the petitioner cannot take the plea of ignorance about implication in the



case. It is evident that the petitioner has approached this Court only after acquittal of four accused persons.

5. Having regard to the submissions made by learned APP and the materials available on record, this Court is not inclined to grant anticipatory bail to the petitioner. The anticipatory bail petition stands dismissed. The petitioner shall be at liberty to move the court below for grant of regular bail on its own merit.

(Vikash Jain, J)

BT/Chandran

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