

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66076 of 2018

Arising Out of PS. Case No.-79 Year-2013 Thana- JAGDISHPUR District- Bhojpur

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Dhanji Yadav @ Dhananjay Kumar Yadav S/o Sriram Yadav Resident of
House No. 22/12, Sukantapally, Kankinara, North 24 Parganas, P.S.
Mathpana, District- North 24 Parganas, West Bengal.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravindra Kumar

For the Opposite Party/s : Mr.Md. Ashlam Ansari

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 18-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Section 379 and subsequently added Sections 395/412 IPC registered in connection with Jagdishpur P.S. Case No. 79 of 2013.

3. It is submitted that the petitioner has been falsely implicated merely on the extra judicial confessional statement of co-accused, except which there is no other material to connect the petitioner with the alleged occurrence. No recovery of any incriminating articles has been made from the conscious possession of the petitioner. The petitioner is accused in one prior case of different nature.

4. Learned APP submits that the FIR was instituted



as far back as in the year 2013, but the petitioner has approached this Court in the year 2018. Moreover, in para 8 of the case diary that there was a direction to take steps for attachment of the petitioner's property, if he was absconding.

5. Considering that the petitioner has not shown any immediate apprehension of arrest and the anticipatory bail petition has been filed five years after institution of the FIR, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. Bail petition stands dismissed.

6. If the petitioner surrenders and seeks regular bail before the learned Court below the same shall be considered on its own merit in accordance with law and without being prejudiced by any observation in the present order.

(Vikash Jain, J)

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