

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55923 of 2019

Arising Out of PS. Case No.-37 Year-2019 Thana- GOPALPUR District- Bhagalpur

ANIL YADAV, aged about 34 years, Male, Son of Upendra Yadav, Resident of Village - Dumar, P.S.- Falka, District- Katihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Ajay Kumar, Advocate.

For the Opposite Party : Mr.Dr. Indihar Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-11-2019 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Section 379 and 411 of the IPC.

The prosecution story, in brief, is that the police arrested two persons, namely, Rashi Mandal and Pappu Mahto with Bolero Pick-up Van bearing Registration No. BR 11 JB-8523 while they were committing theft of Duct Pipe and loading the same on the Pick-up Van.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is not named in the F.I.R. The



petitioner is alleged to be the owner of the said Bolero Pick-up Van. The said vehicle is said to have been used for committing theft. The petitioner had no knowledge regarding the alleged occurrence. The said vehicle runs as a Taxi. Except for this, there is no substantive evidence to suggest the implication of the petitioner in the present case.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. Naugachhia, in connection with Gopalpur Rangra P.S. Case No. 37 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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