

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63279 of 2018

Arising Out of PS. Case No.-125 Year-2018 Thana- AMAS District- Gaya

Ashish Yadav, S/o Radha Yadav, Resident of Village- Pathera, P.S. Amas,
District- Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Rajeev Kumar Singh, Adv.

For the Opposite Party/s : Mr.(Dr.) Mrityunjaya Kr. Gautam, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

6 27-03-2019 Heard Sri Rajeev Kumar Singh, learned counsel for
the petitioner and Dr. Mrityunjaya Kr. Gautam, learned Addl.
Public Prosecutor.

The petitioner, apprehending his arrest in Amas P.S.
Case No. 125 of 2018 registered for the offence under Section
412/34 of the Indian Penal Code, has prayed for grant of bail, in
the event of his arrest or surrender.

It was submitted by learned counsel for the petitioner
that the petitioner has falsely been implicated in the present case
on the pretext of recovery of Rs. 2 lakhs from the house of the
petitioner. He submits that recovered amount was not looted
articles. Sri Singh, learned counsel for the petitioner has argued
that one of the accused, almost in similar circumstances, has
been granted anticipatory bail.



While considering the prayer for anticipatory bail, the Court is of the opinion that it's hardly matter whether other accused has been granted bail by another Bench or not, if there is some material showing involvement of person, particularly in view of nature of accusation, I am of the opinion that privilege of anticipatory bail may not be extended.

Learned Addl. Public Prosecutor has opposed the prayer for anticipatory bail.

In this case, earlier case diary was called for. Fact remains that in toll plaza, loot was committed and, thereafter, on raid, huge quantity of amount, which was concealed in the house of the petitioner, was recovered.

Considering the seriousness of accusation, there is no reason to extend the privilege of anticipatory bail.

(Rakesh Kumar, J.)

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