

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10813 of 2020

Arising Out of PS. Case No.-35 Year-2019 Thana- PHULPARAS District- Madhubani

=====

Bholat Yadav @ Ram Pravesh Yadav, aged about 34 years, Gender – Male,
S/o Mishri Lal Yadav, Resident of Village- Simra, P.S.- Phulparas, District-
Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Choubey Jawahar

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 07-07-2020 Heard Mr. Sanjay Kumar, learned counsel for the

petitioner and Mr. Choubey Jawahar, learned counsel for the

State through video conferencing.

Petitioner apprehends arrest in connection with
Phulparas P.S. Case No. 35 of 2019 corresponding to G.R. No.
193 of 2019 registered for the offence under Section 382, 511
of the I.P.C. and Section 27 of the Arms Act.

The allegation against the petitioner as per the First
Information Report is that the informant namely, Shyam Prasad
Yadav had parked his Bolero Car in his campus and in night
one person tried to break open the lock of his Car which was
seen by the wife of the informant. Upon hulla being raised by
her all accused persons fled away and one person Raman
Yadav was identified by the informant. It has also been alleged
that the tractor of the informant was stolen from his door earlier
also for which Phulparas P.S. Case No. 277 of 2018 was lodged
by the informant.



Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged. Learned counsel further submits that his name has transpired on the basis of the confessional statement made by the co-accused. Learned counsel also submits that the petitioner has been implicated in this case merely due to the fact that altogether five cases are pending against him.

Having regard to the submissions made by the parties and taking into consideration the fact that petitioner has got criminal antecedent and he is a habitual offender, I am not inclined to exercise my discretion for grant of anticipatory bail and the prayer for the same is rejected. However, if the petitioner files an application for regular bail, it may be considered on its own merit without being prejudiced to the fact that the present anticipatory bail application has been rejected by this court.

praful/-

(Anil Kumar Sinha, J)

U		T	
---	--	---	--

