

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28922 of 2020

Arising Out of PS. Case No.-448 Year-2019 Thana- TURKAULIYA District- East
Champaran

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RUPESH YADAV Son of Late Fatinga Rai Resident of Village- Laxmipur,
P.S.- Turkauliya (Raghunathpur), District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr. Mukesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-12-2020 Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor for the State, through Video

Conferencing.

This application, for grant of anticipatory bail, arises
out of Turkauliya (Raghunathpur O.P.) Police Station Case No.
448 of 2019, disclosing offences under Sections 413/414/34 of
the Indian Penal Code.

The prosecution case, as per the First Information
Report, is that the police, on the basis of secret information,
raided the house of co-accused Vivek Paswan and recovered two
stolen motorcycles from there and upon enquiry, he disclosed
the name of the petitioner and other co-accused persons, who
were members of the gang of Vivek Paswan.



Learned Counsel for the petitioner submits that the petitioner has got no criminal antecedent and he has falsely been implicated in this case merely on the basis of the disclosure of his name made by co-accused Vivek Paswan, from whose possession, two stolen motorcycles have been recovered by the police. He further submits that co-accused Rajesh Sahani and Baccha Rai have been granted anticipatory bail by this Court, vide orders passed in Criminal Misc. Nos. 19758 and 29011 of 2020.

After having heard learned Counsel for the parties concerned and taking into consideration the materials on record and the fact that no incriminating material has been recovered from the possession of the petitioner and similarly situated co-accused persons have been granted anticipatory bail by this Court, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate,



East Champaran, at Motihari, in connection with Turkauliya (Raghunathpur O.P.) Police Station Case No. 448 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

It is made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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