

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39385 of 2020

Arising Out of PS. Case No.-191 Year-2020 Thana- TEGHRHA District- Begusarai

1. BABLOO YADAV S/o Ashok Yadav R/o Village- Chaklali Shahi (OP Halai),
P.S.- Tajpur, District- Samastipur.
2. Partosh Kumar @ Pratosh Kumar S/o Suresh Rai @ Surendra Rai R/o
Village- Banveera, P.S.- Tajpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachchidanand Choudhary
For the Opposite Party/s : Mrs.Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 03-12-2021 Heard the parties.

The petitioners apprehend their arrest in a case in connection with Teghra P.S. Case No.191/2020, registered for the offence punishable under Section 392 of the IPC.

The crux of the prosecution case is that three miscreants, at the point of weapons looted Rs.1900/- and a mobile phone from the informant. It is alleged that they also took the Bolero van driven by the informant.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case by local police at the instance of their business rivals and local politics.



Petitioner is the owner of the Baba Family Dhaba and petitioner no.2 is the employee of petitioner no.1. FIR has been lodged against unknown and petitioners have not been apprehended on the spot. Petitioners' name has transpired in this case only on the basis of confessional statement of the co-accused. Nothing has been recovered from the conscious possession of the petitioners. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for bail and submitted that it is not a fit case for grant of anticipatory bail as the co-accused has taken the name of petitioners as his associates.

Having regard to the facts and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail to the petitioners named above.

Accordingly, the instant anticipatory bail application is dismissed.

However, the petitioners are directed to surrender before the learned court below within a period of six weeks from today and seek regular bail.

The learned court below is directed to consider and dispose of the case of the petitioner, on the same date, in



accordance with the merits of the case without being
prejudiced by the dismissal of the present application.

(Anjani Kumar Sharan, J)

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