

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1562 of 2021

Arising Out of PS. Case No.-82 Year-2019 Thana- BODHGAYA District- Gaya

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KAPIL YADAV Son of Late Arayan Yadav Resident of Village- Sagarpur
Sukhadevchak, Mohanpur, P.S.- Bodh Gaya, Distt- Gaya.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Javed Jafar Khan

For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 24-11-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Bodh Gaya P.S. Case No. 82 of 2019 for the offence
registered under Section 379 of the Indian Penal Code.

Learned counsel for the petitioner submits that
petitioner has falsely been implicated in the present case only on
mere suspicion. It is further submitted that allegation levelled
against the petitioner is totally baseless and false. Petitioner has
no criminal antecedent.

Learned counsel for the State opposes the prayer for
bail and submits that the petitioner is named in the first
information report and the petitioner is identified on the basis of
C.C. T.V. footage near the toll tax plaza with the stolen tractor.



As such, it is not a fit case for anticipatory bail.

Considering the aforesaid facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioner. It is, accordingly, rejected.

However, the petitioners are directed to surrender before the court below and file an application for regular bail on which the court below shall pass necessary orders in accordance with law without being prejudiced by the present order.

(Sunil Kumar Panwar, J)

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