

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.296 of 2021

Arising Out of PS. Case No.-440 Year-2017 Thana- HILSA District- Nalanda

Ajay Yadav, S/o Late Chandradeep Yadav R/o village- Brahm Asthan, P.S.-
Hilsa, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar- Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 23-06-2021 Heard Mr. Birendra Kumar, the learned Advocate for
the petitioner and the learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Hilsa P. S. Case No.440 of 2017, instituted for the offences under Sections 395, 412 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that initially the F.I.R. was registered against unknown, but after 38 days, the name of 15 persons were included in the list of accused persons.

It has further been submitted that the petitioner's name has transpired on the basis of confession made by one of the arrested accused persons.

However, from the records, it is revealed that on the indication of the petitioner, some of the looted articles were



recovered from his house.

The learned counsel for the petitioner has submitted that those articles are of common day consumption and that under similar circumstances, two of the other accused persons have been granted anticipatory bail.

These grounds do not weigh with this Court for granting anticipatory bail to the petitioner as his name has transpired during the course of investigation and certain looted articles have been recovered from his house.

Regard being had to the afore-stated facts, the prayer for anticipatory bail is rejected.

However, if the petitioner surrenders before the Court below and seeks bail, the Court below shall consider the case on its own merits, taking into account the other attendant facts and shall pass orders in accordance with law, without being prejudiced by the fact that the present anticipatory bail application has not been entertained by this Court.

(Ashutosh Kumar, J)

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