

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5264 of 2022

Arising Out of PS. Case No.-51 Year-2020 Thana- MANSAHI District- Katihar

1. SHESHNATH YADAV @ SHISHNATH YDAV @ RAHUL ANAND S/O RAMJEE YADAV R/o Mohna Chandpur, P.S.- Barari (Semapur O.P.), Distt.- Katihar
2. Tunnu Yadav S/o Vikash Yadav R/o Mohna Chandpur, P.S.- Barari (Semapur O.P.), Distt.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate
For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-08-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Section 392 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that on 22.06.2020 when he reached near Kishan Chawk at Katihar Manihari Road when he was intercepted by four miscreants and who looted away the motorcycle of the informant and fled away.

Learned counsel for the petitioners submits that



petitioner is not named in the FIR and his name transpired in the confessional statement of Vikash Yadav in police custody which has no evidentiary value, it is next submitted that petitioner no. 1 instituted Barari (Semapur) P.S. Case No. 41 of 2021 under Section 302, read with sections of the IPC against Vikash Yadav with regard to murder of his cousin brother, it is thus submitted that since petitioner no. 1 had instituted the case against Vikash Yadav as such when he got arrested he falsely implicated the petitioner, it is next submitted that petitioner is a student and in support of the same Annexure-2 has been annexed to show that admit card was issued to the petitioner by State Board of Technical Education Bihar, Patna for participating in the examination. It is next submitted that petitioner no. 2 also being friend of petitioner no. 1 came to be implicated falsely by Vikash Yadav.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 20,000/-



(Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Mansahi P.S. Case No. 51 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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