

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21775 of 2021**

Arising Out of PS. Case No.-261 Year-2019 Thana- RAMGARH District- Kaimur (Bhabua)

1. BRAJESH YADAV S/o Bhuwal Yadav R/o village- Jorar, P.S.- Ramgarh, District- Kaimur at Bhabua
2. Vinod Yadav S/o Bhuwal Yadav R/o village- Jorar, P.S.- Ramgarh, District- Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. AAP

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 31-01-2022 At the outset, It is submitted by learned counsel for the petitioner that he seeks permission to withdraw this application against petitioner no. 1.

In view of the aforesaid submission, this application is dismissed as withdrawn against petitioner no. 1.

Now the learned counsel for the petitioner is pressing this application only against petitioner no. 2.

This matter has been taken up for hearing online because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioner and learned APP for the State.

Learned counsel for the petitioner is expected to honour his undertaking to remove the defects as pointed out by the office when called upon to do so by the office.



The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Ramgarh P.S. Case no. 261 of 2019 instituted for the offence under Sections 414, 465, 468 and 34 of the Indian Penal Code.

The prosecution case relates to recovery of a Mahindra Scorpio bearing Registration No. UP61AC 1486 in suspicious condition in front of the house of the petitioner. When the police party had asked to show any document regarding ownership of paper, petitioner could not produce any original document and the same was seized and later on during investigation it appears that they tampered with the engine and chassis number of the alleged vehicle.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has been falsely implicated in this case. Petitioner no. 2 has got no criminal antecedent. He has no concern with the alleged seized vehicle.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner no. 2 on bail. The



petitioner no. 2 is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Ramgarh P.S. Case no. 261 of 2019, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-2, Kaimur at Bhabua subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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