

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13442 of 2022

Arising Out of PS. Case No.-213 Year-2021 Thana- BIHARIGANJ District- Madhepura

AZAD YADAV @ BITTU YADAV Son of Ashok Yadav Resident of Village -
Katotiya, P.S.- Bihariganj, Distt.- Madhepura.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajnish Kumar Singh, Adv.

For the Opposite Party/s : Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 22-12-2022

Heard learned counsel for the parties.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 341, 323, 379,
384, 386, 504, 506 and 34 of the Indian Penal Code.

As per the prosecution case, the vehicle of the
informant in which others were present were overtaken by three
accused persons including this petitioner. The informant was
abused, assaulted and on protest, it is stated that while looting
the informant and others they were also threatened of dire
consequences in case a case was lodged.

It is submitted by learned counsel for the petitioner
that the petitioner has been falsely implicated in the case which
would be evident from the fact that inspite of the petitioner and
informant belonging to different districts and having no contact



with each other, the petitioner has been named in the F.I.R. The reason being that the manner of occurrence is other than what has been narrated in the F.I.R. As a result of the accident of the vehicles of the parties and over an altercation, this F.I.R. was registered with false allegations. No injury report has been brought on record. No T.I. parade has been conducted inspite of the petitioner being in custody since 31.10.2021 and chargesheet has been submitted in the case.

The application for bail is opposed by learned A.P.P. for the State who submits that the petitioner is a veteran criminal having eight criminal cases from before and he has been identified and named in the F.I.R..

Having heard learned counsel for the parties and having perused the materials on record, in view of the nature of allegation against the petitioner in the F.I.R. wherein he has been named together with the material that has transpired in course of investigation, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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