

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19325 of 2022**

Arising Out of PS. Case No.-199 Year-2021 Thana- UCHKAGAON District- Gopalganj

GANESH YADAV S/O BRAHMDEO YADAV R/o village- Rakba Raja, P.S.-
Pataherwan, District- Kushinagar (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyendra Rai, Adv.

For the Opposite Party/s : Mr.Bharat Lal, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 23-08-2022 Heard learned counsel for the petitioner and learned APP
for the State.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioner apprehends his arrest in connection with Uchakagaon P.S. Case No.199 of 2021, registered for the offence punishable u/s 414, 379, 411, 188/34 of the IPC and section 27 of the Arms Act.

Allegedly, on the basis of confessional statement of some accused apprehended by the police with regard to brandishing arms in an orchestra, raid was made at the house of petitioner and from the door, one Bolero was recovered.



It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He is not named in the FIR and has been falsely implicated in this case. His name transpired in the case on the confessional statement of co-accused. No incriminating article has been recovered from the conscious physical possession of the petitioner. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. Petitioner has no concern with the recovered Bolero vehicle. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail and submits that the vehicle has been recovered from the front of petitioner's house and he failed to produce any paper relating to the ownership of the seized vehicle.

Having regard to the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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