

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37355 of 2022

Arising Out of PS. Case No.-28 Year-2022 Thana- MURLIGANJ District- Madhepura

1. Umesh Yadav Son Of Late Laxmi Yadav R/O Village- Murliganj, Ward No. 11, P.S.- Murliganj, Distt.- Madhepura
2. Shyamdeo Yadav @ Shyamdev Yadav Son Of Late Laxmi Yadav R/O Village- Murliganj, Ward No. 11, P.S.- Murliganj, Distt.- Madhepura
3. Dinesh Yadav Son Of Late Laxmi Yadav R/O Village- Murliganj, Ward No. 11, P.S.- Murliganj, Distt.- Madhepura

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha
For the Opposite Party/s : Mr.Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-11-2022 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners are apprehending their arrest in

a case registered for the offences punishable under

Sections 379, 411, 506, 34 of the Indian Penal Code.

Learned counsel for the petitioners seeks

permission to withdraw the petition with regard to

petitioner Nos. 1 and 3 namely Umesh Yadav and

Dinesh Yadav since they have been arrested.

Permission is accorded.



Accordingly, the petition with respect to petitioner Nos. 1 and 3 is dismissed as withdrawn.

It is alleged that the petitioners were attempting to commit theft of sheesham tree by cut down standing in the field of informant in the night but the informant arrived there and raised alarm, as a result of which, the accused persons fled away.

It is submitted by learned counsel for the petitioner No. 2 that petitioner was not apprehended from the spot. Nothing has been recovered from the conscious and constructive possession of the petitioner. The petitioner has been roped in the present case in the background of some land dispute between the parties. The petitioner has no concern with the arrested accused person. A statement has been made in para 3 of the petition that petitioner No. 2 has no criminal antecedent.

In the facts and circumstance of the case, let the petitioner No. 2, above named, in the event of his arrest or surrender before the Court below within a



period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Madhepura in connection with Murliganj P.S. Case No. 28 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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