

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50104 of 2021**

Arising Out of PS. Case No.-114 Year-2019 Thana- SANHAULA District- Bhagalpur

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KAILASH YADAV Son of Late Bhola Yadav Resident of Village - Sadhupur,
P.S.- Ghogha, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Ms.Shaheen Begum, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-05-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor 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, the office will place the matter before the Bench.

The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 420, 341, 323, 379, 34 of the Indian Penal Code.

Allegedly, FIR named accused persons including the petitioner have looted the money of the informant after cheating him on the pretext of purchase of tractor and also assaulted him.



It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case due to ulterior motive. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. The specific allegation is against the co-accused Santosh Yadav and his wife. It is submitted that during investigation, no witness has taken the name of the petitioner and during the supervision note, the petitioner has been made accused in this case. No incriminating article has been recovered from the conscious physical possession of the petitioner. Petitioner has one criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since no witness has taken the name of the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court



below where the case is pending/Successor Court in connection
with Sanhaura P.S. Case No.114/2019, subject to the conditions
as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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