

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2477 of 2023**

Arising Out of PS. Case No.-517 Year-2022 Thana- BELAGANJ District- Gaya

UDAY YADAV @ UDAY KUMAR Son of Surendra Yadav R/v- Pathara,
P.S.- Belaganj, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Choubey Jawahar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 16-05-2023 Heard Mr. Ashok Kumar Singh, learned counsel for
the petitioner and Mr. Choubey Jawahar, learned Additional
Public Prosecutor appearing for the State.

Petitioner apprehends his arrest in connection with
Belaganj P.S. Case No. 517 of 2022 dated 20.9.2022 registered
for the offence punishable under Sections 341, 323, 353, 379
and 120-B/34 of the Indian Penal Code 1860.

As per the First Information Report, the informant
who is Chowkidar along with other Chowkidar were guarding
the truck No. BR-25-G-3870 which was seized by the Police
and on 20.9.2022 in the night about 2:30 AM one Shalendra
Sinha came and said that he is the owner of the said truck and
was trying to take away the truck and on protest being made by
the informant and other Chowkidar at that time, one four



wheeler arrived at the place including the petitioner who assaulted the informant and took away his Mobile phone and the allegation against the petitioner is that he twisted the hands of the informant.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case by the informant who is Chowkidar. The petitioner resides in the same Police Station and has falsely been implicated in this case on the basis of concocted story. He next submits that the petitioner is neither owner nor driver or cleaner of the vehicle in question. The only allegation against the petitioner is that he allegedly twisted the hands of the informant. The petitioner has got no criminal antecedent.

Regards being had to the submission made by the parties and taking into consideration the nature of allegation and the fact that the petitioner has got no criminal antecedent, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, in the event of arrest or surrender before the court below within six weeks from today, petitioner, above named, shall be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief



Judicial Magistrate-II, Gaya, in connection with Belaganj P.S.
Case No. 517 of 2022, subject to the condition as laid down
under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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