

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12136 of 2023

Arising Out of PS. Case No.-37 Year-2022 Thana- BELDOUR District- Khagaria

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SHAIENDRA @ SHAIENDRA KUMAR @ SHAIENDRA YADAV S/o
Raj Kishore Yadav R/o Village and P.O.- Mali, P.S.- Beldaur, Distt- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Najmul Hodda, Adv.

For the Opposite Party/s : Mr.Parmeshwar Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-04-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Beldaur P.S. Case No.37/2022, G.R. No.390/2022, registered for
the offence punishable u/s 392 of the IPC.

As per the prosecution case, the petitioner and other
accused persons are said to have looted the motorcycle, mobiles,
ATM card, one trolley and purse containing Rs.3000/- from the
informant on the point of pistol.

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. 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. There is no eye-witness to the alleged occurrence and only on disclosure of nearby people, the name of petitioner transpired in this case. No incriminating article has been recovered from the conscious physical possession of the petitioner. He has one criminal antecedent.

Learned APP for the State opposed the prayer for bail by submitting that petitioner is a member of the syndicate, who used to loot people.

Having regard to the facts and circumstances of the case and considering the nature of allegation, 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.

However, petitioner is at liberty to surrender before the learned court below within a period of six weeks from today and seek regular bail and the learned Court below would pass order, preferably, on the same day, in accordance with law.

(Anjani Kumar Sharan, J)

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