

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8071 of 2023

Arising Out of PS. Case No.-32 Year-2017 Thana- BHIMPUR District- Supaul

BALBIR KUMAR YADAV @ BALBIR YADAV Son of Late Shyam Kishore
Sushil @ Shyam Kishore Yadav Resident of Village - Khut Ward No.- 9, P.S.-
Jadia, District - Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prafull Chandra Thakur
For the Opposite Party/s : Mr. Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-05-2023 Heard the parties.

The petitioner apprehend his arrest in connection with
Bhimpur P.S. Case No.32 of 2017, registered for the offence
punishable under Section 392 of the Indian Penal Code.

The allegation against the petitioner is that he alongwith
other co-accused persons snatched mobiles and valuable
documents from the informant and his staff, on gun point.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and have 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
levelled against the petitioner is not specific rather general and
omnibus in nature. He further submits that the petitioner is not



named in the FIR, but the petitioner has been made accused on the basis of confessional statement of apprehended co-accused. Petitioner has one criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail and submits that the bail application of similarly situated co-accused has been rejected by a co-ordinate Bench of this Court on 05.02.2019 passed in Cr. Misc. No.6380 of 2019.

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.

However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seek for regular bail, the learned Court below shall pass the order on the same day, in accordance with law.

(Anjani Kumar Sharan, J)

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