

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.16205 of 2023**

Arising Out of PS. Case No.-374 Year-2022 Thana- RAMNAGAR District- West Champaran

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DHIRAJ YADAV @ DHAN KUMAR YADAV S/O LATE BHULAN  
YADAV Resident of village- Narainapur, P.S.- Ram nagar, District- West  
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Vijay Kr Singh No. 1, Advocate

For the Opposite Party/s : Mr.Upendra Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      19-05-2023                      Heard the learned counsel for the petitioner and  
  
the learned A.P.P. for the State.

This is an application for grant of anticipatory  
bail in connection with Ramnagar PS case no. 374 of 2022,  
registered for the offences punishable under Sections 414/34 of  
the Indian Penal Code.

The allegation is regarding the informant along  
with his police force being on patrolling duty on the alleged  
date and time of occurrence and during the course thereof, they  
had stopped a two-wheeler vehicle and apprehended two  
persons, who were riding the said motorcycle and upon  
inquiry, it transpired that the said motorcycle is a stolen  
motorcycle. It is further alleged that upon interrogation, the



apprehended co-accused persons had disclosed that the motorcycle had been given to them by the petitioner after the same was taken from one Subhash Yadav.

The learned counsel for the petitioner submits that petitioner is innocent, has been falsely implicated in the present case. Though the petitioner is stated to be accused in one another case but he is on bail in the said case. The learned counsel for the petitioner has further submitted that neither the petitioner has been apprehended from the spot nor the stolen motorcycle has been recovered from his conscious possession or his house, hence, there is no evidence to connect the petitioner with the alleged crime.

*Per contra*, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that neither the petitioner has been apprehended from the spot nor the stolen motorcycle has been recovered from the petitioner, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail.



Accordingly, the abovenamed petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of S.D.J.M. Bagah in connection with Ram Nagar PS case no. 374 of 2022, subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

**(Mohit Kumar Shah, J)**

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