

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25580 of 2023

Arising Out of PS. Case No.-44 Year-2022 Thana- RAJPUR District- Buxar

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Rajesh Yadav @ Rajesh Kumar Son Of Shivlochan Yadav Resident Of Village
- Dumraon, P.O. And P.S.- Dumraon, District - Buxar, Pin Code - 802119
(Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhay Kumar Pandey

For the Opposite Party/s : Mr. Abhay Kumar Roy

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 17-08-2023 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 406, 420
& 34 of the Indian Penal Code.

3. As per the prosecution case, the informant sold
his 14 wheeler Truck to F.I.R. named four accused persons
including the petitioner, who after negotiation paid Rs.
4,80,000/- to him & regarding paying of 51 installments @ of
Rs. 79,000/- per month, they executed a written agreement on
Non Judicial Stamp Paper of Rs. 1,000/- and all the accused
persons assured to him that they shall pay installments of Truck
within time but has not paid the same.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has falsely been implicated in this
case. The allegation levelled against the petitioner is not



specific rather general and omnibus in nature. He submits that there is no specific overt act against the petitioner. He further submits that petitioner is brother-in-law of co-accused Santosh Yadav, the petitioner was made accused in the present case only because he was also in negotiation of of the said Truck. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the fact that there is no specific overt act against 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 Rajpur P.S. Case No. 44 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

Anjani Kumar Sharan, J)

anand/-

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