

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37647 of 2023

Arising Out of PS. Case No.-10 Year-2023 Thana- YADOPUR District- Gopalganj

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KALAM ANSARI @ KALAMUDDIN ANSARI SON OF MAINUDDIN
ANSARI @ MAINUDDIN MIYAN RESIDENT OF VILLAGE - PURVARI
PATTI, P.S. - YADOPUR, DISTRICT - GOPALGANJ

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Dubey, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 21-07-2023 1. Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.
2. This is an application for grant of anticipatory bail
in connection with Yadopur PS case no. 10 of 2023, registered
for the offences punishable under Section 392 of the Indian
Penal Code.
3. The allegation is regarding the petitioner and
co-accused person namely Dhruv Yadav having intercepted the
informant when he was returning back to his home on his
motorcycle, on the alleged date and time of occurrence and
thereafter, they had snatched his motorcycle and a bag
containing wheat as also a mobile phone.
4. The learned counsel for the petitioner submits that



the petitioner is innocent, he has been falsely implicated in the present case and is having a clean antecedent. The learned counsel for the petitioner has further submitted that from the confessional statement made by the co-accused person namely Dhruv Yadav, it transpires that neither the looted motorcycle nor the wheat bag has been recovered from the house of the petitioner and in fact, it has been recovered from under the Bridge in question, hence, the petitioner is having no complicity in the matter.

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

6. 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 the petitioner is having a clean antecedent and no recovery of the looted articles have been made from him/ his house, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail.

7. 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 learned court of Chief Judicial Magistrate, Gopalganj in connection with Jadopur PS case no. 10 of 2023, subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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