

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39827 of 2023

Arising Out of PS. Case No.-77 Year-2023 Thana- MADHAURAH District- Saran

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SHREERAM PRASAD YADAV SON OF LATE VIKRAMA YADAV
RESIDENT OF VILLAGE- DEO BAHUWARA, PS- MARHAURAH,
DISTT- CHAPRA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binod Murari Mishra, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-08-2023 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 379 and 411 of the IPC.

3. Allegedly, paddy was stolen from the '*dalan*' of the
informant. On the alleged date, one pickup van was standing at
the '*dalan*' of the informant and five persons were loading
paddy on the Pickup and on alarm, some people came there and
one accused was apprehended.

4. 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. Petitioner was not



apprehended on the spot nor any incriminating article was recovered from his conscious physical possession. He has been made accused in this case on the basis that he is the owner of the seized pickup van but the real fact is that the said vehicle is a commercial vehicle and without any knowledge of the petitioner, the driver was loading the paddy. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, since 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 Marhaurah P.S. Case No.77 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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