

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46072 of 2023

Arising Out of PS. Case No.-130 Year-2023 Thana- RAHUI District- Nalanda

1. Krishan Yadav @ Krishna Yadav Son of Bisheshwar Yadav @ Bishesar Yadav Resident of Village - Soshandi, P.S.- Rahui, District - Nalanda.
2. Dilip Yadav Son of Krishan Yadav Resident of Village - Soshandi, P.S.- Rahui, District - Nalanda.
3. Laltus Yadav Son of Krishan Yadav @ Krishna yadav Resident of Village - Soshandi, P.S.- Rahui, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binit Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

02. In the present case, the petitioners are apprehending their arrest in connection with Rahui P.S. Case No. 130 of 2023, registered on 30.03.2023, for the alleged offence under Sections 457, 380 read with 34 of the Indian Penal Code.

03. As per prosecution case, a theft was committed in the house of the informant while she had gone away for treatment. The informant showed her suspicion about the petitioner that they might have committed the theft as their house was adjacent to her house and the lock was not broken in her house.

04. Learned counsel for the petitioners submits that



petitioners are innocent and have been falsely implicated in this case. The petitioner no. 1 is the father and petitioner nos. 2 and 3 are sons, respectively and they are agnates of the husband of the informant. There is a land dispute between the parties. From the FIR, it is clear that the case has been lodged against the petitioners only on suspicion. Nothing incriminating has been recovered from the person or possession of the petitioners. Learned counsel further submits that the petitioners are having criminal antecedent but these are cases of false implication due to previous enmity.

05. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the fact that the petitioners have been made accused merely on suspicion without any substantive piece of material against them and further considering the possibility of false implication, let the petitioners, above named, in the even of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-I, Nalanda at Biharsharif/concerned court in connection with Rahui P.S. Case No. 130 of 2023, subject to the condition



laid down under Section 438(2) of the Code of Criminal Procedure
and other following conditions:

- (i) One of the bailors will be a close relative of the
petitioners.
- (ii) The petitioners will remain present on each and
every date fixed by the court below, if so required
by the learned trial court.

(Arun Kumar Jha, J)

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