

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49809 of 2022

Arising Out of PS. Case No.-667 Year-2021 Thana- ARARIA District- Araria

GUDDU KUMAR YADAV @ GUDDU YADAV Son of Kameshwar Yadav
R/o village - Kharaiya (Kharahia) Basti, Ward No.- 11, P.S.- Araria, District -
Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kanchan Jha
For the Opposite Party/s : Mr. Rajiv Nayan
Mr. Ramesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-01-2023 Heard learned counsel for the petitioner, learned
counsel for the informant as well as learned Additional
Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with
Araria P.S. Case no.667 of 2021, registered for the offence
punishable under Sections 380/456 of the Indian Penal Code.

The allegation against the petitioner is that he
alongwith one Mahesh Yadav stole the buffaloes of the
informant and one Dilip Yadav.

It is submitted by learned counsel for the petitioner
that petitioner is quite innocent and have committed no
offence. He has been falsely implicated in this case due to
enmity and grudge. No such occurrence, in the manner as



alleged, has ever taken place. He submits that there is a land dispute between the parties and both sides are agnates. The informant is the uncle of the petitioner. He further submits that the petitioner and the informant were candidate for ward commissioner election and due to this reason the informant filed this case against the petitioner. Petitioner has neither been apprehended on the spot nor any stolen articles has been recovered from his possession. He further submits that all the criminal cases against the petitioner has been filed by the informant's side. Petitioner has three criminal antecedent, as also mentioned in para-3 of the bail application.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

Accordingly, this application is dismissed.

However, if the petitioner surrenders before the learned court below within a period of four weeks, from today, learned court below shall pass the order in the same day, in accordance with law, considering the fact that both the



parties are agnates and all the criminal cases against the
petitioner has been filed by the informant's side.

(Anjani Kumar Sharan, J)

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