

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51836 of 2023

Arising Out of PS. Case No.-35 Year-2023 Thana- CHANDRADIP District- Jamui

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Anil Yadav S/O- Anup Yadav, R/o Islamnagar, P.S.- Chandradeep, Distt.-
Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 19-08-2023 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Chandradeep P. S. Case No. 35 of 2023 registered on 25.02.2023 for the offences punishable under Sections 341, 323, 307, 379, 342, 504 and 506/34 of the Indian Penal Code.

3. According to the prosecution, FIR has been lodged against two named accused persons alleging that the informant was returning at the night of 8:00 P.M. on 21.02.2023 then two named accused and one unknown accused person have stopped them and attacked on him by iron rod and thereafter assaulted and snatched cash from the informant and also his one mobile.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. Counsel

further submits that from the fardbeyan itself it is clear that the date of occurrence is 21.02.2023 but FIR has been lodged after delay of four days that is on 25.02.2023. There is no explanation of delay there. On the point of criminal antecedent, counsel submits that at the time of filing this case i.e. Chandradeep P.S. Case No.36 of 2023, criminal antecedent of the petitioner was clean but after filing of the present case, two more cases in the same P.S. i.e. Chandradeep P.S. Case No.53 of 2023 and Chandradeep P.S. Case No.54 of 2023 have been lodged, as such counsel for the petitioner submits that from the date of filing of the present case there was no criminal antecedent of the petitioner. Counsel further submits that this case has been filed at the instance of influential person of the locality, who has good reputation with the police and petitioner is the victim with the same.

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

6. In the aforesaid facts and circumstances, let the above-named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within 6 weeks from today, on furnishing bail bond of Rs. 30,000/- (Rupees Thirty Thousand) with two sureties of the like

amount each to the satisfaction of the learned Chief Judicial Magistrate, Jamui in connection with Chandradeep P.S. Case No. 35 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

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