

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52243 of 2023

Arising Out of PS. Case No.-444 Year-2023 Thana- TURKAULIYA District- East
Champaran

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SANDIP YADAV @ SANDIP KUMAR @ KABARWALA SANDIP YADAV
SON OF RAJENDRA PRASAD YADAV @ RAJENDRA YADAV
RESIDENT OF VILLAGE- KHUTIYARWA, PS- SUGAULI, DISTT- EAST
CHAMPARAN AT MOTIHARI

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shashank Shekhar

For the Opposite Party/s : Mr.Md. Ataur Rahman

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

- 3 25-08-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.
2. The petitioner is apprehending his arrest in
connection with Turkauliya (Banjariya) P.S. Case No. 444 of
2023 registered for the offences punishable under Sections 414,
467, 471 and 34 of the Indian Penal Code and Section 25(1-b) a,
26 and 35 of the Arms Act.
3. As per prosecution case, three persons were
apprehended and from the possession of co-accused Nitesh Patel
one country pistol, two live cartridges and one motorcycle were
recovered. It is further alleged that three motorcycles were also
seized and apprehended co-accused persons disclosed the name



of petitioner and others who fled away from the place of occurrence.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. Petitioner bears criminal antecedent of one case which is not similar to the present case. Petitioner was not found at the place of occurrence. He further submits that petitioner runs a small scrap business near the alleged place of occurrence and his name has been implicated in the present case at the behest of local chowkidar as petitioner has inimical term with the said chowkidar. Learned counsel further submits that petitioner has no concern with any of the recovered articles or any accused persons. Except disclosure of co-accused Nitesh Patel, there is nothing on record to connect the present petitioner with the alleged occurrence.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender



before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Turkauliya(Banjariya) P.S. Case No. 444 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Alok Kumar Pandey, J)

vashudha/-

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