

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.54374 of 2023**

Arising Out of PS. Case No.-164 Year-2023 Thana- KOTWA District- East Champaran

NITESH YADAV S/O LAL BABU YADAV @ LAL BABU RAY R/O  
VILLAGE- TALWA, PS. KOTWA, DIST. EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Vijay Shankar Shrivastava  
For the Opposite Party/s : Mrs. Nirmala Kumari

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      31-08-2023      Heard the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 379, 411 of the Indian Penal Code.

3. The allegation against the petitioner is that he along with co-accused Subodh Kumar has stolen the motorcycle of the informant.

4. 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. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the petitioner. There is no recovery of any incriminating articles



from the possession of the petitioner. Petitioner has been made accused in the present case merely on the basis of statement of co-accused. Petitioner has no criminal antecedent.

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

6. Having regard to the facts and circumstances of the case as the petitioner has no criminal antecedent, let the above named petitioner, be released on bail, in the event of his/her 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 Kotwa P.S. Case No.164 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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