

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60790 of 2022

Arising Out of PS. Case No.-146 Year-2019 Thana- SIKANDRA District- Jamui

=====

RUPESH YADAV @ RUPESH KUMAR SON OF AASHO YADAV R/O
VILLAGE- POHE, P.S.- SIKANDRA, DISTT.- JAMUI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Pramod Kumar

For the Opposite Party/s : Mr.Narsingh Tanti

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 392 of the Indian Penal Code pending in the learned court below.

Allegation against the petitioner is that he along with other co-accused persons is said to have assaulted the informant and looted his motor-cycle.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that petitioner is not named in the FIR. He submits that one person was apprehended by the police who disclosed the name of the petitioner that the petitioner is also involved in this case. He further submits that there is no any



incriminating article has been recovered from the conscious possession of the petitioner. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

Per contra, learned APP for the State vehemently opposing the bail application and submitted that the allegation levelled as the petitioner is serious in nature. Hence, he does not deserve anticipatory bail.

Considering the nature of the offence, I am not inclined to enlarge the petitioner on bail in connection with Sikandra P.S. Case No. 146/2019. Accordingly, his prayer for anticipatory bail is hereby rejected.

However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seeks regular bail, the learned Court below would pass the order, preferably, on the same day, without being prejudiced by this order considering the fact that the petitioner has no criminal antecedent..

(Anjani Kumar Sharan, J)

ajay/-

U		T	
---	--	---	--

