

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59876 of 2023

Arising Out of PS. Case No.-280 Year-2022 Thana- RAJGIR District- Nalanda

Mantu Yadav @ Mantu Kumar, Son of Late Kapildev Yadav, Resident of village - Makhdumpur, P.S. - Khudaganj, Distt. - Nalanda.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Shyamal Prakash, Advocate
For the Opposite Party : Mr. Kumar Veerendra Narayan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 27-09-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in connection with Rajgir P.S. Case No. 280 of 2022 dated 22.05.2022 registered for the offences punishable under Sections 379 and 411 of the I.P.C.

4. As per the prosecution case, on 21.05.2022, some unknown miscreants had committed theft of Tractor alongwith its Dala of the informant.

5. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has been falsely implicated in this case. The petitioner has got three criminal antecedent apart from the present case and in all three criminal cases, the petitioner has already been granted bail. It is further submitted that the petitioner has not been made accused in the F.I.R. The name of the petitioner has sprang up in the present case merely on the basis of the confessional statement of co-accused, namely, Raj Balam Kumar @ Balma. The said stolen Tractor alongwith its Dala has been recovered from the road. Nothing incriminating article has been recovered from the possession of the petitioner.

6. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Bihar Sharif at Nalanda in connection with Rajgir P.S. Case No. 280 of 2022, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.



8. The application stands allowed.

(Chandra Prakash Singh, J)

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