

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62986 of 2022

Arising Out of PS. Case No.-5 Year-2020 Thana- AKHODHIGOLA District- Rohtas

Chhotu Yadav @ Raj Kumar @ Chhathu Son of Mahendra Singh @
Mahendra Yadav Resident of Village Chawariya Tola, P.S. Sanjhauli, District
Rohtas.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kameshwar Singh
For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-02-2023 Heard both sides.

The petitioner apprehends his arrest in connection with Akodhigola P.S. Case No.5 of 2020, registered for the offences punishable under Sections 379 and 411 of the Indian Penal Code.

The petitioner and other co-accused persons are said to have stolen the tractor and trolley of the informant.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner has got no criminal antecedent as stated in paragraph-3 of the bail petition. It is further submitted that the petitioner is not named in the FIR. During investigation, the police apprehended co-accused, Ajay Yadav from whose possession the tractor and trolley were recovered and Ajay Yadav in his confessional statement took the name of the



petitioner. It is submitted that no incriminating articles has been recovered from possession of the petitioner or from the house of the petitioner. It is further submitted that co-accused, Sanjeet Kumar @ Bhola Kumar @ Bhola Yadav has already been enlarged on anticipatory bail by a co-ordinate Bench of this Court vide order dated 08.08.2022, passed in Cr. Misc. No.49732 of 2021.

Learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioner.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for grant of anticipatory bail to the petitioner is hereby rejected.

However, if petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the learned court below shall consider the prayer for regular bail of the petitioner preferably on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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