

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62346 of 2022

Arising Out of PS. Case No.-208 Year-2022 Thana- JHAJHA District- Jamui

Nundeo Yadav @ Nundev Yadav Son Of Musahar Yadav @ Musaharu Yadav
R/O Village- Kodvakura, P.O.- Domamahdar, P.S.- Laxmipur, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukul Jee, Advocate
For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

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

The petitioner apprehends his arrest in Jhajha P.S.
Case No. 208 of 2022 registered for the offences punishable
under Section 392 of the Indian Penal Code, pending in the
Court of learned Chief Judicial Magistrate, Jamui.

As per prosecution case, on 03.06.2022 some
unknown miscreants looted informant's Redmi Note Pro mobile
phone, cash bag containing cash amount of Rs. 98,650/-,
samsung tab, bio metric machine.

Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in this case. The
allegation levelled against the petitioner is not specific rather
general and omnibus in nature. He further submits that the



petitioner is not named in the FIR, the petitioner is made accused in the present case on be basis of the confessional statement of the co-accused. He further submits that there is no cogent material on record to connect the complicity of the petitioner with the alleged offence. Petitioner has got no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for bail and submits that in the confessional statement of co-accused Madan Kumar Yadav has been mentioned, which shows that the petitioner was the active participant in the alleged occurrence.

Considering the facts and circumstances of case and the nature of the offence, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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