

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69055 of 2023

Arising Out of PS. Case No.-48 Year-2023 Thana- SHRI NAGAR District- Madhepura

1. Amit Yadav Son Of Shobha Yadav Village- Anandipatti W.No-10, Ps-Shrinagar Dist- Madhepura
2. Kestu Yadav Son Of Shibha Yadav Village- Anandipatti W.No-10, Ps-Shrinagar Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surya Narayan Yadav
For the Opposite Party/s : Ms. Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-11-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Section 414 of the Indian Penal Code.

3. As per the prosecution case, the informant along with police team raided the house of the petitioners and they found three motorcycles and the petitioners documents of the motorcycles have not been shown by the family members of the petitioners to them.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that



the police has recovered three motorcycles on 29.03.2023, but the F.I.R. was lodged on 12.04.2023 and the seizure list was prepared on 12.04.2023, without any reasonable explanation, which creates serious doubt on the prosecution case. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

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

6. Having regard to the facts and circumstances of the case and the fact that there is delay in filing the FIR and the preparation of the seizure list, let the above named petitioners, be released on bail, in the event of their 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) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Shrinagar P.S. Case No.48 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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