

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70030 of 2023

Arising Out of PS. Case No.-157 Year-2023 Thana- CHANDI District- Bhojpur

MUNNA KUMAR YADAV @ MUNNA YADAV SON OF LAXMAN
YADAV RESIDENT OF VILLAGE- BISHUNPUR, PS- CHANDI, DISTT-
BHOJPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiv Prasad Gupta

For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 01-11-2023 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Chandi P.S. Case No. 157/2023 registered for the offences punishable under Sections 379, 411, 188/34 of the Indian Penal Code.

3. As per prosecution case, the informant and police officials found the tractor loaded with sand near the bank of river Son at village Bishunpur. It is further alleged that after seeing the police, the driver of tractor and liner fled away leaving the tractor loaded with sand and motorcycle in question. It is further alleged that on the enquiry, local people disclosed that petitioner and others are used to extract sand and transport



the same from the bank of river Son at Bishunpur.

4. Learned counsel for the petitioner submits that petitioner has no concern either with the tractor or with the motorcycle in question that has been seized by the police. He further submits that petitioner was not apprehended on spot. No incriminating article has been recovered from his conscious possession. He further submits that the tractor belongs to Parasa Yadav and motorcycle belongs to Nakual Kumar. In the light of the aforesaid, no offence is made out against the petitioner as alleged in FIR. The petitioner is innocent and has falsely been implicated in this present case and he bears no criminal antecedent.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like



amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Chandi P.S. Case No. 157/2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Alok Kumar Pandey, J)

asmit/alok-

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

