

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69911 of 2023

Arising Out of PS. Case No.-442 Year-2022 Thana- BAISI District- Purnia

PURAN YADAV @ PURAN KUMAR YADAV SON OF DILIP YADAV
RESIDENT OF VILLAGE -GANGHAR P.S.- BAISI, DISTT- PURNEA.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar

For the Opposite Party/s : Mr.Nand Kumar

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 Baisi P.S. Case No. 442/2022 registered for the offences punishable under Sections 414 of the Indian Penal Code.

3. As per prosecution case, co-accused Shah Jahangir apprehended with the stolen motorcycle in question and he disclosed that the said motorcycle was purchased from present petitioner.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. The petitioner bears no criminal antecedent. He further submits that



the petitioner is neither concerned with the alleged occurrence nor with the seized motorcycle. He further submits that nothing has been recovered from the conscious possession of the petitioner and he is not apprehended on the spot. He further submits that a perusal of the FIR, the name of petitioner transpired in this case on the basis of confessional statement of co-accused Shah Jahangir, except confessional statement, there is nothing on record to demonstrate the complicity of the present petitioner with the alleged occurrence. He further submits that in the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the aforesaid Section.

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 the learned Chief Judicial Magistrate, Purnea in connection with Baisi P.S. Case No. 442/2022, 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)

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