

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70713 of 2023

Arising Out of PS. Case No.-458 Year-2022 Thana- DARBHANGA SADAR District-
Darbhanga

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Shyam Yadav Son Of Debu Yadav @ Dev Narayan Yadav R/O Vill.- Badiya,
P.S.- Sadar, Dist.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kedar Jha, Advocate
For the Opposite Party/s : Mr. Md. Fahimuddin, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 24-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Sadar P.S. Case No.458 of 2022 instituted under Sections
420, 414 and 34 of the Indian Penal Code.

3. As per prosecution case, on seeing the police party,
who was on patrolling, two persons on a motorcycle was trying
to flee away but one of the accused was apprehended with one
looted mobile from his pocket, who disclosed his name as
Kamal Dev Yadav. The petitioner is alleged to have managed to
escape.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this



case. There is no recovery from the petitioner and he was not present on the spot. Except the confessional statement of co-accused, there is no material against the petitioner. The petitioner has two criminal antecedents in which he is on bail.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga in connection with Sadar P.S. Case No.458 of 2022, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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