

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71953 of 2023**

Arising Out of PS. Case No.-491 Year-2022 Thana- DARBHANGA SADAR District-
Darbhanga

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Shyam Yadav @ Shyam Kumar @ Babajee Son Of Debu Yadav Dev Narayan
Yadav Resident Of Mohalla- Badiya, Ps- Sadar, Distt- 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 ANJANI KUMAR SHARAN
ORAL ORDER**

2 01-12-2023 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with
Sadar P.S. Case No. 491 of 2022 dated 16.08.2022, registered
for the offence punishable u/s 379, 511 & 411 of the I.P.C.,
pending in the court of learned Chief Judicial Magistrate,
Darbhanga.

3. Learned counsel for the petitioner submits that the
petitioner is quite innocent and has been falsely implicated in
this case due to previous grudge. The allegations levelled
against the petitioner is general and omnibus in nature. No
recovery has been made from the conscious possession of the
petitioner or house of the petitioner. It is admitted land dispute



between the parties. He further submits that the name of the petitioner has transpired on confessional statement of the co-accused.

4. Per contra, learned APP for the State vehemently opposing the bail petition submitted that the allegations levelled against the petitioner is serious in nature, hence he does not deserve anticipatory bail.

5. Considering the facts and circumstances of case, the criminal antecedents pending against the petitioner, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected.

6. However, if the petitioner surrenders before the learned Court below within six weeks from today and seeks regular bail, the learned Court below shall pass order in accordance with law without being prejudiced by this order on the very date of surrender.

7. Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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