

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72357 of 2023

Arising Out of PS. Case No.-14 Year-2023 Thana- SAHEBPUR KAMAL District- Begusarai

GORE LAL YADAV @ GORE LAL RAI SON OF JHARI LAL YADAV
RESIDENT OF VILLAGE- RAGHUNATHPUR, P.S.- S.KAMAL,
DISTRICT- BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabi Bhushan, Advocate

For the Opposite Party/s : Mr. Raj Kishor Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 09-11-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in a case in connection with S. Kalam P.S. Case No. 14 of 2023 dated 17.01.2023 registered for the offence/s punishable u/ss 379, 414, 272, 273, 406, 407 read with section 34 of the Indian Penal Code.

4. As per the prosecution case, it has been alleged that the offence of stealing of 785 kgs. of milk by transferring the milk from the milk-tanker to a Pick up van at the *godown*



belonging to the petitioner and its adulteration is alleged to have committed by the petitioner, the drivers of the said tanker and Pick up van and the other co-accused persons.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. Learned counsel has further submitted that as per FIR, the allegation against the petitioner is of theft of 785 kgs. of milk while the total recovery is 1000 kgs. of milk which clearly doubts the prosecution case. The petitioner is not the owner of the said vehicle from which the said recovery was made. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has seven other criminal cases and he is on bail in all the said cases as stated at para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Begusarai in



connection with S. Kalam P.S. Case No. 14 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure, with further condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

guddukr/-

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

