

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74872 of 2022**

Arising Out of PS. Case No.-237 Year-2022 Thana- RAFIGANJ District- Aurangabad

BIRU YADAV @ ANUJ KUMAR @ VIRU YADAV Son of Late Bali Yadav
R/V- Parahari, P.S- Rafiganj, Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Krishna Prasad Singh, Sr. Adv. Mr.Bhaskar Shankar, Adv.
For the Opposite Party/s :	Mr.Kalyan Shankar, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 23-03-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

As prayed for, learned counsel for the petitioner is
permitted to delete para-8 of this application.

Petitioner apprehends his arrest in a case registered for
offence punishable u/s 307, 379, 458, 452, 147, 148, 149 IPC.

Allegedly, 15-20 miscreants entered into the mill of the
informant and took cash kept in a box and also fired gun shots
which hit two staffs.

It is submitted by learned senior counsel for the petitioner
that petitioner is quite innocent and has committed no offence.
He has been falsely implicated in this case merely on suspicion.
No such occurrence, in the manner as alleged, has ever taken
place. The allegation leveled against the petitioner is not



specific rather general and omnibus in nature. The name of petitioner transpired in this case on the confessional statement of the co-accused Kamlesh Yadav, who disclosed the involvement of petitioner and others in this case. From the impugned order, it is clear that no person has sustained injury. No incriminating article has been recovered from the conscious physical possession of the petitioner and petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Rafiganj P.S. Case No.237/2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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