

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.345 of 2023

Arising Out of PS. Case No.-63 Year-2022 Thana- NADI District- Supaul

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Dharm Narayan Yadav @ Dharma Yadav @ Dharmdev Yadav S/o Satya Narayan Yadav R/o Village- Majhaura, Ward no. 09, P.S.- Supaul Nadi, Distt-Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Mishra, Advocate

For the Opposite Party/s : Mrs.Pushpa Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-05-2023 Heard learned counsel for the petitioner and learned counsel for the State.

2. In this case, the petitioner is apprehending his arrest in connection with Supaul Nadi P.S. Case No. 63 of 2022, registered on 13.08.2022 for the offences under Sections 379 and 414 of the Indian Penal Code.

3. As per prosecution case, petitioner parked a motorcycle in front of the house of the informant and informant filed a police case showing his apprehension that the said motorcycle might be stolen one, as the petitioner was an accused in a number of cases.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated by the informant on account of previous land dispute. It is yet to be



proved that the motorcycle which was parked outside the house of the informant was stolen. The informant has registered the case merely on suspicion. But, true fact of the case is that petitioner never parked any motorcycle in front of the house of the informant and if there was any motorcycle the petitioner has got no concern with it. Learned counsel further submits that petitioner was not seen at the place of occurrence and nothing incriminating has been recovered from his conscious possession. No material has come against the petitioner during investigation by the police.

5. Learned APP opposes the prayer for anticipatory bail.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the case against the petitioner has been lodged merely on suspicion and there appears no tangible material against him, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Supaul/concerned court in connection with Supaul Nadi P.S. Case No. 63 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure



and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

Himanshu/-
Ashish/-

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