

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7472 of 2024**

Arising Out of PS. Case No.-131 Year-2022 Thana- PALASI District- Araria

=====

BECHAN KUMAR YADAV S/O MAYANAND YADAV R/O VILLAGE-  
KANKHUDIA, P.S- PALASI, DISTT.- ARARIA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**

ORAL ORDER

2      17-02-2024                      Heard Mr. Mukesh Kumar Rana, learned Counsel for  
  
the petitioner and Mr. Damodar Prasad Tiwary, learned APP for  
  
the State.

2. The petitioner apprehends his arrest in connection  
with Palasi P.S. Case No. 131 of 2022 for the offence registered  
under sections 413, 414 and 34 of the Indian Penal Code lodged  
on 23.04.2022 by the informant Shiv Pujan Kumar.

3. As per the prosecution story, the police witnessing  
three motorcycles alongwith persons standing there, intercepted,  
they tried to escape, apprehended and as they fail to produce  
paper of the vehicle, arrested, FIR.

4. Learned Counsel for the petitioner submits that  
admittedly, the accuseds were apprehended alongwith the  
motorcycles and the petitioner was not on the spot, one of the



accused person, Imran Alam named him which followed his implication in the case, he do not have any role.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail stating that the arrested person has named him.

6. Taking into account the submissions put forward by the parties as also that his name has come in the confessional statement, he was not at the spot nor anything recovered from his conscious possession, this Court is inclined to extend him privilege of anticipatory bail.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Araria in connection with Palasi P.S. Case No. 131 of 2022 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date



before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month for next one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

**(Rajiv Roy, J)**

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