

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10620 of 2024

Arising Out of PS. Case No.-92 Year-2023 Thana- SIMRA District- West Champaran

Upendra Yadav @ Dipendra Kumar Yadav @ Jitendra Yadav Son of Shree
Kishun Yadav @ Kishun Yadav R/o vill - Baluhi, P.S. - Bhitaha, Distt. - West
Champaran Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kr Singh No. 1, Adv

For the Opposite Party/s : Mr. Bharat Bhushan, APP

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

ORAL ORDER

2 13-03-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Semra(Chiutaha) P.S Case No. 92 of 2023 dated 17.06.2023 registered for the offence punishable u/s 379 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused are alleged to have committed theft of water pump of the informant about three months back which was recovered from the house of the petitioner. On being asked, the informant disclosed that the said motor was sold by his brother-in-law *Vinod Yadav*.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. As per paragraph 24 of the case diary it is submitted



that neither the petitioner was involved in theft nor he was acquainted with the fact that the said motor was stolen one. The petitioner purchased the said motor from *Vinod Yadav* as per (Annexure-3). The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, as well as the nature of allegation, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, West Champara in connection with Semra(Chiutaha) P.S Case No. 92 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

8. This application stands allowed.

(Chandra Prakash Singh, J)

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