

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36850 of 2024

Arising Out of PS. Case No.-4 Year-2024 Thana- KANGLI District- West Champaran

Sumesh Yadav S/O Late Gena Yadav R/O Village- Pokhariya, P.S- Kangali,
Distt.- West Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 23-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in a case
registered for the offence under Sections 411, 413 and 414/34 of
the Indian Penal Code.

3. As per allegation in the FIR, it is a case of theft
of mobiles of the informant.

4. Learned counsel appearing on behalf of the
petitioner submits that petitioner has falsely been implicated in
this case, the petitioner was neither apprehended at the spot nor
anything has been recovered from the possession of the
petitioner as alleged in the FIR and petitioner has got clean
antecedent as stated in para-3 of the petition. He next submits



that similarly situated co-accused has already been granted regular bail by a Co-ordinate Bench of this Court passed in Cr. Misc. No. 27161 of 2024.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. On perusal of the first information report, seizure list and impugned order dated 01.05.2024, it appears that altogether six mobiles have been recovered from the house of the petitioner which was kept in a tin box and there is sufficient materials available about the involvement of the petitioner as stated in the impugned order, considering which, I am not inclined to grant anticipatory bail to the petitioner.

7. Prayer for anticipatory bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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