

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44043 of 2024

Arising Out of PS. Case No.-6 Year-2019 Thana- JALALGARH District- Purnia

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1. Sanjiv Kumar Yadav Son Of Anmol Yadav @ Amol Yadav Village- Manikpur, Ward No. 09, P.S.- Fulkaha, Distt.- Araria
 2. Ranjeet Kumar Yadav Son Of Anmol Yadav @ Amol Yadav Village- Manikpur, Ward No. 09, P.S.- Fulkaha, Distt.- Araria
 3. Anmol Yadav @ Amol Yadav Son Of Late Bechan Yadav Village- Manikpur, Ward No. 09, P.S.- Fulkaha, Distt.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 20-07-2024 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Jalalgarh P.S. Case No. 06 of 2019 registered for the offences punishable under Section 379 of the Indian Penal Code.

3. Prosecution case as emerges from the FIR is that some unknown miscreants have stolen away the tractor and tailor of the informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence as



alleged against them and have falsely been implicated in the present case. Petitioners are not named in the FIR. The name of the petitioners have sprung in this case on the basis of confessional statement of of co-accused person, and the same has no evidentiary value. He next submits that no incriminating article has been recovered from the conscious possession of the petitioners. So far as recovery is concerned, the same is made from co-accused, Rajiv Yadav. Petitioner No. 1 bears one criminal antecedent and petitioner No. 2 bears five criminal antecedents while petitioner No. 3 bears one criminal antecedent. It is lastly submitted that co-accused has been granted anticipatory bail by this Court *vide* order dated 09-05-2024, passed in Cr. Misc. No. 34753 of 2024.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the rival submissions made by the learned counsel for the parties, let the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten 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 Jalalgarh P.S. Case No. 06 of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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