

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43198 of 2024

Arising Out of PS. Case No.-228 Year-2023 Thana- DUMRA District- Sitamarhi

Jimdar Yadav @ Jimdar Rai Son Of Ram Shevak Prasad Yadav R/O-
Mohalla- Hanuman Nagar, Pak Tola, P.S.- Sitamarhi, Distt.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Anish Chandra, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 10-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in Dumra P.S.
Case No. 228 of 2023, registered under Sections 413, 414, 467,
468/34 of the Indian Penal Code.

3. The prosecution case, in short, is that, the petitioner
along with other co-accused persons committed theft of
motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. Learned counsel for
the petitioner further submits that the petitioner was neither



arrested from spot nor the petitioner was seen at the place of occurrence. Name of the petitioner has transpired on the basis of confessional statement of co-accused person which has no evidentiary value. No recovery of stolen articles has been made from the possession or from the house of the petitioner. The petitioner has got ten criminal antecedents.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP has further submitted that the petitioner has ten criminal antecedents and he does not deserve the privilege of anticipatory bail.

6. Considering the aforesaid facts and circumstances and criminal antecedents of the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

7. The prayer is rejected. However, the petitioner is directed to surrender in the Court below within a period of four weeks and pray for regular bail. If such an application is filed, the same shall be disposed by the Court below without being prejudiced by this order.

(Rudra Prakash Mishra, J)

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