

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45872 of 2024

Arising Out of PS. Case No.-351 Year-2022 Thana- RANIGANJ District- Araria

Yaqub Baitha @ Md. Yaqub Baitha S/o Md. Jainul @ Jainul Baitha R/o vill -
Chhatiauna, ward no. 11, P.S. - Raniganj, Distt. - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Vaishnavi Singh, Advocate Sri Pransu Singh, Advocate
For the State	:	Sri Chandra Bhushan Prasad, A.P.P.
For the Informant	:	Sri Dinu Kumar, Sr. Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 04-09-2024 1. Heard Sri Pransu Singh learned counsel for the petitioner, Sri Chandra Bhushan Prasad learned A.P.P. for the State and Sri Dinu Kumar learned Senior Counsel appearing on behalf of the informant.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 342, 323, 325, 307, 504, 506 and 302 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the police, after threadbare investigation, came to a considered conclusion that petitioner is innocent and, thus, submitted final form exonerating him of the allegation but then the learned Magistrate differing with the police report took cognizance. It is further submitted that when one investigating agency, after



threadbare investigation, came to a considered conclusion that petitioner is innocent, whether it would prudent for the Court to send the petitioner to jail based on an order of cognizance which came to be taken based on the same investigation which found the petitioner to be innocent.

4. Learned A.P.P. for the State and learned Senior Counsel appearing on behalf of the informant opposed the prayer for anticipatory bail of the petitioner and submit that petitioner has antecedent of three cases but then are not in a position to rebut the submissions of the learned counsel for the petitioner that police, after investigation, submitted final form exonerating him of the allegation. Learned Senior Counsel appearing on behalf of the informant submits that if the privilege of anticipatory bail is granted to the petitioner, the petitioner may abscond and try to delay the trial, on which learned counsel appearing on behalf of the petitioner submits that petitioner will not abscond rather will cooperate in the trial.

5. Considering the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his 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 Raniganj P.S. Case No. 351 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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