

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49022 of 2024

Arising Out of PS. Case No.-46 Year-2023 Thana- BHAIKAVSHTHAN District- Madhubani

Amlesh Kumar Yadav Son Of Dev Krishna Yadav Resident Of Village -
Navtol, P.S. - Phulparas, District- Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hriday Narayan Harshit, Adv.

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

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

ORAL ORDER

2 20-09-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Bhairav Asthan P.S. Case No. 46 of 2023 dated 01.04.2023 registered for the offences punishable u/s 392 of the Indian Penal Code.

3. As per the prosecution case, three unknown miscreants boarded on a motorcycle intercepted the motorcycle of the informant and looted the motorcycle, mobile phone and purse on the point of pistol.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of the petitioner



has sprung up in the confessional statement of the co-accused, Kirandeo Kumar. Nothing has been recovered from the conscious possession of the petitioner. It is further submitted that the petitioner has no concern with the alleged offence. The co-accused person has already been granted anticipatory bail by this court vide order dated 02.08.2024 passed in Cr. Misc. No. 30852 of 2024. The petitioner has four criminal antecedents as stated in para 3 of the bail petition.

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

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Madhubani in connection with Bairav Asthan P.S. Case No. 46 of 2023 , subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure with further condition:-

1. The petitioner is directed to remain physically present before the learned court below on each



and every date, failing which on two consecutive dates without reasonable cause, the prosecution will be at liberty to move for cancellation of his bail bond.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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