

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50994 of 2024

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

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Rajiv Yadav @ Rajeev Yadav Son Of Late Bechan Yadav Resident Of Village
- Manikpur, Ward No. 09, Police Station - Fulkaha, District - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

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

ORAL ORDER

2 20-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his 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 petitioner submits that the
petitioner is innocent and has committed no offence as alleged



against him and has falsely been implicated in the present case. Learned counsel for the petitioner submits that petitioner is not named in the FIR and no incriminating article has been recovered from his conscious possession. So far as recovery of tractor is concerned, the same is recovered from the joint house of the petitioner. It is submitted that other co-accused has been granted bail by this Court *vide* order dated 29-04-2024, passed in Cr. Misc. No. 27904 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 petitioner. He submits that recovery is made from the house of the petitioner.

6. Considering the rival submissions made by the learned counsel for the parties, taking into account the fact that recovery is made from the joint house of the petitioner, at this Stage, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, prayer for grant of anticipatory bail to the petitioner is *rejected*.

8. However, if the petitioner surrenders before the court below within a period of four weeks from today and prays for regular bail, the same would be considered by the court



below in accordance with law without being prejudiced by the
order of this Court.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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