

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51500 of 2024

Arising Out of PS. Case No.-79 Year-2024 Thana- RASULPUR District- Saran

=====

Anil Yadav Son of Thakur Yadav R/O Gram Chanchora, P.s.- Rasulpur, Dist.- Saran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Rajeev Kumar, Advocate Mr. Ayush Kumar, Advocate Mr. Shikhar Mani, Advocate Mr. Rishabh Gupta, Advocate Mr. Rajnish Prakash, Advocate Ms. Lakshmi Kumari, Advocate
For the State	:	Mr. Umeshanand Pandit, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-08-2024 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Rasulpur P.S. Case No. 79 of 2024 for the offence under Sections 413, 414, 420, 467 and 468 of the I.P.C. lodged on 11.05.2024 by the informant, Vimlesh Kumar.

3. As per the prosecution story, the informant alleged that upon secret information that the petitioner is indulging in sale purchase of stolen vehicle, reached the spot and outside the house recovered/seized a four wheeler vehicle which was having registration no. of two wheeler. Accordingly, the F.I.R.

4. Learned counsel for the petitioner submits that the recovery/seizure is from outside the house, not from his



personal possession, only to implicate, the F.I.R. lodged. The last submission is that he do not have criminal antecedent.

5. Learned APP opposes the prayer submitting that on secret information about the petitioner indulging in sell and purchase of stolen vehicle, found a vehicle outside his house and as such it can be attributed to him only.

6. Though there is a recovery outside the house, it cannot be said to be in possession of the petitioner, he do not have criminal antecedent and is undertaking to diligently appear in trial, this Court is inclined to extend him the privilege of anticipatory bail. However, if it is found that the petitioner has criminal antecedent, the order shall become infructuous.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, Saran at Chapra, in connection with Rasulpur P.S. Case No. 79 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official



document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

vinayak/-

U		T	
---	--	---	--

