

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.70939 of 2024

Arising Out of PS. Case No.-38 Year-2023 Thana- MIRGANJ District- Gopalganj

Aman Yadav S/O Parshuram Yadav @ Parashuram Chaudhari R/O Village-
Sahebchak, P.S- Mirganj, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Dubey

For the Opposite Party/s : Mr. Madan Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 30-10-2024 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail,
arises out of Mirganj Police Station Case No. 38 of 2023,
disclosing offences under Section 394 of the Indian Penal
Code.

3. As per the fardbeyan, on 11.02.2023, while
informant was coming to Mirganj with headmaster on his
motorcycle and when he reached near Pipara Petrol Pump, at
6:30 p.m., three persons on a motorcycle, covering their faces,
came from behind and encircled him and took the key of his
motorcycle. One person inflicted knife on his waist and



another pointed pistol and told him to give his motorcycle and mobile and threatened to kill him. They opened fire but he did not sustain any fire injury. Thereafter, the miscreants fled away alongwith his motorcycle.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in the present case on the basis of confessional statement of co-accused Aditya Kumar Yadav. He next submits that the petitioner is not named in the FIR. He next submits that the allegation against the petitioner is general and omnibus in nature. He further submits that nothing has been recovered from the conscious possession of the petitioner and during the investigation, none has claimed to see the petitioner at the place of occurrence.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the nature of allegation, I am not inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, rejected.

7. However, if the petitioner surrenders before the concerned Court and seeks regular bail, the same may be considered by the concerned Court on its own merit without



being prejudiced that anticipatory bail of the petitioner has
been rejected by this Court.

(Anil Kumar Sinha, J)

HarshPandey/-

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

