

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78887 of 2023

Arising Out of PS. Case No.-101 Year-2022 Thana- BELDOUR District- Khagaria

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AJEET YADAV @ AJEET KUMAR son of Chandeshwari Yadav @ Chandu
Yadav Resident of Village- Bharpura PS - Simri Bakhtiyarpur Dist. - Saharsa
Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nitin Kumar, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 28-02-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 395 and
397 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and he has been
falsely implicated in the present case based on the confessional
statement of Suman Kumar. It is further submitted that though
in the impugned order, it is recorded that from Suman Kumar
driving licence of Tarun Uraon was recovered but from perusal
of the seizure list, it would manifest that the driving licence of
Tarun Uraon was recovered from Kundan Kumar. It is next
submitted that apart from confessional statement there is



nothing to connect the petitioner with the offence.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that it is a case of dacoity and the impugned order records that from possession of Suman Kumar driving licence of Tarun Uraon was recovered and the petitioner came to be implicated based on the confessional statement of Suman Kumar. It is thus submitted that since some looted articles were recovered from Suman Kumar as such for the present it cannot be presumed that petitioner has been falsely implicated. It is further submitted that from perusal of the seizure list, it would manifest that the driving licence of Tarun Kumar Shukla was recovered from Kundan Kumar and not the driving licence of Tarun Uraon.

5. At this stage, learned counsel for the petitioner submits that petitioner will cooperate in the investigation and will not abscond. It is also submitted at the cost of repetition that petitioner is a person with clean antecedent.

6. Considering the submissions made by the learned counsel for the petitioner, 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.25,000/-



(Rupees Twenty-five 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 Beldour P.S. Case No. 101 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. One of the bailors of the petitioner shall be his father Chandeshwari Yadav @ Chandu Yadav.

8. It is made clear that in the event if the investigating officer of the case files an application before the learned trial court bringing to its notice that petitioner despite giving assurance to this Court is not cooperating in the investigation in that event the learned trial court shall be at liberty to cancel the bail bonds of the petitioner and to take all coercive steps to ensure that petitioner is behind the bar.

(Satyavrat Verma, J)

Kundan/-

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