

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78039 of 2024

Arising Out of PS. Case No.-492 Year-2022 Thana- MOTIHARI MUFASIL District- East
Champaran

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Ashish Yadav @ Ashish Kumar S/O Surendra Yadav @ Surendra Rai R/o
Village Panchrukha P.S. Banjariya, Dist- E. Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar II, Adv.
For the Opposite Party/s : Mr. Md. Aslam Ansari, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-11-2024 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

2. The petitioner apprehends his arrest in connection with
Muffasil P.S. Case No. 492 of 2024 registered for the offences
punishable under Section 392 of the Indian Penal Code.

3. As per FIR, when the informant was returning after
collection of money to be deposited in Bandhan Bank, on way,
about 500 hundred metres from the said village, three miscreants
forced the informant to stop and snatched a bag containing Rs.
1,04,235/- from the possession of the informant on gun point.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. No
such occurrence as alleged has ever taken place. He has falsely



been implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. He is not named in the FIR. His name has been transpired in the present case merely on the basis of the confessional statement of the apprehended co-accused on instruction of his enemy. It is further submitted that petitioner has no concern either with the apprehended co-accused or the alleged occurrence. No any incriminating article has been recovered from his conscious possession or from his house. Learned counsel further submits that petitioner has two criminal antecedents of similar nature of offence that of the present case.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the facts and circumstances of the case, nature of the offence and particularly the criminal antecedents of the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. Accordingly, the application stands dismissed.

(Anjani Kumar Sharan, J)

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