

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74702 of 2024

Arising Out of PS. Case No.-165 Year-2024 Thana- BIHIA District- Bhojpur

Guddu Yadav Son of Late Dinesh Yadav Resident of Village - Jamua, Police
Station - Bihiya, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate
Mr. Kameshwar Singh, Advocate
For the Opposite Party/s : Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 12-11-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Bihiya P.S. Case no. 165 of 2024 registered under sections 457 and 380 of the Indian Penal Code.

3. As per the prosecution case, the informant states that while she had gone out for the treatment of her husband on 22.5.2024, on her returning on 27.5.2024, she learnt about theft having taken place in her house. On inquiry it transpired that the petitioner and Chhotu Yadav had given effect to the occurrence.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. The allegations levelled in the F.I.R. are unsubstantiated. While the informant learnt about the occurrence on 27.5.2024, the F.I.R.



was registered without any explanation for the delay on 10.6.2024 and the same reached the Court only on 18.6.2024. Further referring to the seizure list it is submitted that the seizure list prepared on 10.6.2024 shows recovery of the articles from one Sanjay Nat and not the petitioner. No incriminating article has been recovered from the petitioner's possession. Further referring to the order of the learned trial Court it is submitted that the Court has mainly relied on the antecedents of this petitioner and the statement of co-accused Chhotu Yadav made before police implicating this petitioner.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R., the material that has transpired in course of investigation as is evident from the order of the learned trial Court ie the antecedents of the petitioner and the statement of a co-accused made before police, in the facts and circumstances of the case it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Bihiya P.S. Case no. 165 of 2024 on furnishing



bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate VII, Arrah, Bhojpur.

(Partha Sarthy, J)

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