

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80560 of 2023

Arising Out of PS. Case No.-683 Year-2021 Thana- MAJHAULIA District- West Champaran

HARENDRA YADAV Son of Mansi Yadav R/o vill - Teberwa, P.S. -
Gopalganj Town, Distt. - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 05-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Majhulia P.S. Case No. 683 of 2021 dated 12.12.2021,
instituted for the offence punishable under Section 379 of the
Indian Penal Code.

3. The petitioner is alleged to have looted a tractor
loaded with fertilizer.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is submitted that petitioner has not been named in the
F.I.R.. Only on the basis of confessional statement of co-accused
persons, the petitioner has been made accused in this case.
Nothing has been recovered from the possession of the
petitioner or from his house. It is submitted that cognizance has
been taken against seven other accused persons. It is also



submitted that after submitting of second charge-sheet, the investigation is pending against three accused persons including the petitioner and out of three accused persons, two accused persons have been granted anticipatory bail by a co-ordinate Bench of this Court *vide* order dated 07.02.2024 passed in Criminal Miscellaneous No. 1276 of 2024. Lastly, it has been submitted that the petitioner has one criminal case against him and he is on bail in this case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner in connection with Majhauria P.S. Case No. 683 of 2021, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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