

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84606 of 2024

Arising Out of PS. Case No.-216 Year-2023 Thana- JANTA BAZAR District- Saran

Vikash Yadav @ Vikash Kumar S/O Rajendra Yadav @ Rajendra Ray R/O
Mohalla- Bhagwan Tola, P.S-Janta Bazar, Distt.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alka Panday, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 16-12-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Janta Bazar P.S. Case No. 216 of 2023 registered for the
offences punishable under Sections 413 & 414 of the Indian
Penal Code.

3. Prosecution case in short is that on secret
information, the police party reached the place of occurrence
where they apprehended two accused persons. On interrogation,
they confessed that they have looted a pickup laden with peas
and chilly and they were looking to sell the items.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner surfaced in this case on the basis of confessional statement of co-accused, namely, Upendra Yadav. Petitioner is said to have fled away from the spot. There is no recovery of any incriminating articles from the possession of the petitioner. There is no eye witness to the occurrence. It is lastly submitted that other co-accused have been granted regular bail by this Court vide order dated 30-04-2024, passed in Cr. Misc. No. 18435 of 2024.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that petitioner does not deserve the privilege of grant of anticipatory bail.

6. Considering the rival submissions made by the learned counsel for the parties, this Court is not inclined to grant anticipatory bail to the petitioner. Prayer for grant of anticipatory bail is accordingly *rejected*.

7. However, if the petitioner surrenders before the court below within a period of four weeks from today and prays for regular bail, the same would be considered by the court



below in accordance with law without being prejudiced by the
order of this Court.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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