

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84709 of 2024

Arising Out of PS. Case No.-31 Year-2024 Thana- LARJHAGHAT District- Samastipur

Sandeep Yadav Son of Raj Kishore Yadav @ Rajkeshwar Yadav Resident of
Village - Mahisaut, P.S. - Tilakeshwar, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar

For the Opposite Party/s : Mr. Asha Devi

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-12-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 413, 414, 34 of the Indian Penal Code.

3. As per FIR, two persons were apprehended with stolen motorcycle. The apprehended person disclosed the name of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that the petitioner was not arrested at the place of occurrence rather he has been made accused only on the basis of disclosure made by the apprehended person which has got no evidentiary value in the eyes of law. He submits that nothing has been recovered from the physical possession of the petitioner.



He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

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

6. Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Larjhaghat P.S. Case No. 31 of 2024.

7. However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be considered by the learned court below on the same day without being prejudiced by this order considering the fact that the petitioner has no criminal antecedent.

(Anjani Kumar Sharan, J)

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