

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3086 of 2024

Arising Out of PS. Case No.-70 Year-2023 Thana- PAHARPUR District- East Champaran

Lalbabu Yadav @ Lalbabu Kumar Yadav S/O HARESH YADAV VILLAGE-
RAJWAHI, PS. MALAHI, DIST. EAST CHAMPARAN.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suraj Kumar Tiwari

For the Opposite Party/s : Mr. Lakshmi Kant Sharma

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Paharpur P.S. Case No. 70 of 2023, dated 21.02.2023 for the offences punishable under Section 392 of the Indian Penal Code.

3. As per prosecution case, three unknown persons came on a motorcycle and surrounded the informant, they assaulted the informant and took his motorcycle and mobile phone.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has three criminal antecedents as stated in para 3 of the bail petition in which he is on bail. No



incriminating material has been recovered from the conscious possession of the petitioner. There is a delay of more than 22 hours and 30 minutes in lodging the F.I.R. which creates doubt in the prosecution case. The petitioner is not named in the F.I.R. The name of the petitioner has surfaced in course of investigation.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, East Champaran, Motihari in connection with Paharpur P.S. Case No. 70 of 2023 subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Ranjeet/-

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