

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55622 of 2025

Arising Out of PS. Case No.-212 Year-2022 Thana- CHHATAPUR District- Supaul

Santosh Yadav S/o- Baleshwar Yadav Resident of village - Ward No. 16,
Khaira Gadhiya, Police Station - Narpatganj, District - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 27-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner is apprehending arrest in connection with Chhatapur P.S. Case No. 212 of 2022 registered for the offences punishable under Sections 341, 447, 448, 323, 308, 354(B), 379, 385, 504, 506, 34 of the Indian Penal Code to which section 325 and 307 I.P.C. was added later on and section 308 I.P.C. was deleted.

3. As per prosecution case, petitioner and others came at the door of the informant and started abusing and assaulting the informant. It is alleged that petitioner is said to have taken away Rs.2000/- from the pocket of the informant's husband and snatched a gold chain.

4. Learned counsel for the petitioner submits that



petitioner is innocent and has committed no offence as alleged in the first information report and he has been falsely implicated in this case. There is no specific allegation against the petitioner except the allegation of snatching Rs. 2000/- and a gold chain, which is ornamental in nature. Petitioner is only a member of the mob and there is no specific overt act alleged against the petitioner. He further submits that the occurrence took place on 21.05.2022 and 29.05.2022 but the F.I.R. was lodged on 03.06.2022 and there is no explanation in the F.I.R. for the alleged delay which questions the authenticity of the prosecution story. He submits that from perusal of the F.I.R. even if the whole prosecution story is taken to be true, no case is made out against the petitioner. Petitioner was living outside the State to earn his livelihood and due to communication gap petitioner has not moved this Court earlier. Petitioner has no criminal antecedent.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner and submits that petitioner is named accused in the F.I.R. and he his participation in the alleged occurrence cannot be out-rightly rejected.

6. Considering the facts and circumstances of the



case, keeping in view clean antecedent of petitioner, there is no specific over act alleged against the petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner, above named, in the event of arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Supaul in connection with Chhatapur P.S. Case No. 212 of 2022, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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