

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54735 of 2018

Arising Out of PS. Case No.-185 Year-2017 Thana- PATAHI District- East Champaran

Vikash Kumar @ Vikash Singh, Son of Satendra Singh @ Satendra Kumar,
Resident of Village- Harnarayana, P.S.- Shikarganj, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Adv.

For the Opposite Party/s : Mr. (Dr.) Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 11-01-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 387/34 of the Indian Penal Code.

The prosecution case got initiated on the basis of written report dated 28.11.2017 submitted by Pramod Singh to the Station House Officer, Patahi Police Station to the effect that on 27.11.2017 at 5.30 P.M., the informant was at his grocery shop, when three persons came and demanded some chewing tobacco known as 'Shikhar'. The informant after giving 'Shikhar' demanded price of it, whereupon, one person out of the three accused persons, took out pistol from his waist and pointed on the informant and escaped from the scene. In course of escaping



from the scene, the accused persons' motorcycle collided with a bamboo-clump, then they left the motorcycle and escaped from the scene. The name of the petitioner sprang up on the confessional statement of co-accused Abhimanyu Mandal.

It is submitted by learned counsel for the petitioner that except the confessional statement of co-accused Abhimanyu Mandal, there is nothing on record suggesting the complicity of the petitioner in the alleged occurrence. Moreover, the seized motorcycle was found registered in the name of one Jairam. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that except the confessional statement of co-accused, no evidence has been collected against the petitioner during investigation.

Considering the fact that petitioner's name only sprang up on the confession of co-accused, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount



each to the satisfaction of the learned 8th ACJM, Motihari, East Champaran, in connection with Patahi P.S. Case No.185/2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

U		T	
---	--	---	--

