

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83588 of 2019**

Arising Out of PS. Case No.-399 Year-2019 Thana- CIVIL LINE District- Gaya

Ayush Kumar @ Ayush, Son of Bigan Mahto, Resident of Village - Aurawan,
P.S.- Magadh Medical, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar

For the Opposite Party/s : Mr.Humayou Ahmad Khan

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 17-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in this case is seeking anticipatory bail in connection with Civil Line P.S. Case No.399 of 2019 registered for the offences punishable under Section 414 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case due to enmity. Learned counsel submits that the name of the petitioner has transpired in the confessional statement of the co-accused.

Learned APP for the State is present and has opposed the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case



wherein it is the submission of learned counsel for the petitioner that the petitioner has been falsely implicated in this case by referring to the confessional statement of the co-accused who has been arrested by the police and from whose possession the alleged stolen motorcycle has been recovered, as also further submission that the petitioner has no criminal antecedent, he is a student and the motorcycle does not belong to him, but he has been implicated in this case due to previous enmity with the apprehended accused only in order to save his skin, let the petitioner in the event of his arrest or surrender within a period of four weeks from today, be enlarged on bail on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Civil Line P.S. Case No.399 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade



him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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