

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3099 of 2020

Arising Out of P.S. Case No.-209 Year-2019 Thana- BAKHTIYARPUR District- Patna

SURAJ MADHOPUR @ SURAJ KUMAR @ SURAJ KUMAR YADAV Son
of Sonelal Yadav @ Sona Prasad Resident of Village-Madhopur, P.S.-
Bakhtiarpur, Distt - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No. 2
Mr. Arun

For the Opposite Party/s : Mr. Ashok Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-01-2020 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Bakhtiarpur P.S. Case No. 209 of 2019 for the offence
registered under Section 394 of the Indian Penal Code.

The allegation is regarding a sum of Rs. 1,70,475/-
having been snatched from the informant, which was kept in a
bag along with other articles after the accused persons had
intercepted the informant. It is further alleged that while the
said miscreants were fleeing away, the villagers had chased
them and one of the co-accused person was apprehended who
was identified as “Vikiya”. In the meantime, one of the
miscreants had loudly told his accomplice, while taking his name
as “Suraja” (the petitioner herein), that the co-accused person



namely, Vikiya has been arrested and thereafter the co-accused person, who had managed to flee away, had fired from his pistol.

The learned counsel for the petitioner has submitted that neither any Test Identification Parade has been held to connect the petitioner with the alleged crime nor any recovery of the looted cash has been made from the house of the petitioner and the petitioner is having a clean antecedent while he is languishing in custody since 02.07.2019.

Per contra, the learned A.P.P. for the State Shri Ashok Kumar has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions of the learned counsel for the petitioner coupled with the fact that neither any T.I. Parade has been held to connect the petitioner with the alleged crime nor any recovery of the looted cash has been made from the petitioner as also taking into account the fact that the petitioner is having a clean antecedent, I deem it fit and proper to grant anticipatory bail to the petitioner herein.

Accordingly, the petitioner, above named, is directed to be released on anticipatory bail in the event of his arrest/surrender before the court below within a period of four



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 learned Additional Chief Judicial Magistrate-1, Barh, Patna in connection with Bakhtiarpur P.S. Case No. 209 of 2019 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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