

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7743 of 2020

Arising Out of PS. Case No.-639 Year-2019 Thana- BANKA District- Banka

GAUTAM KUMAR @ TINKU YADAV @ GOUTAM KUMAR Son of
Sudama Yadav Resident of Village-Sathiyari, P.S.-Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Om Prakash Singh
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 17-06-2020

The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of COVID-19 Pandemic.

Heard the learned counsel for the petitioner and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Banka PS case no. 639 of 2019 registered for the offences punishable under Section 392 of Indian Penal Code.

The allegation is regarding unknown miscreants having intercepted the informant who was returning after collecting a sum of Rs., 1,43,000/-, being an employee of L&T Micro Finance Ltd., near village Magra, whereafter on pistol point, the miscreant had snatched the money bag containing the



aforesaid amount.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is having clean antecedent. It is further submitted that the name of the petitioner has been falsely roped in the present case upon confessional statement made by the co-accused person namely Mahesh Yadav apart from which there is no other material to connect the petitioner with the alleged crime. It is further submitted that petitioner is a student and is willing to join investigation, as and when required.

The learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering submissions made by the learned counsel for the petitioner, taking into account the fact that the petitioner is having a clean antecedent and his name has transpired in the present case on account of the confessional statement of the co-accused person apart from which there is no material on record to connect the petitioner with the alleged crime, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail. Accordingly, the abovenamed petitioner, in the



event of his arrest or surrender before the learned court below within a period of six weeks from the date of receipt/ production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Banka PS case no. 639 of 2019 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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