

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7710 of 2020

Arising Out of PS. Case No.-194 Year-2019 Thana- RAJAPAKAR District- Vaishali

AMIT KUMAR @ AJIT KUMAR S/o Bashishtha Singh R/o village-
Daudnagar (Madaripur), P.S.- Bidupur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee
For the Opposite Party/s : Mr. Asha Devi
Ms. Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-06-2020 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, requiring social distancing.

Heard the learned counsel for the petitioner, Mr. Ajay Mukherjee and the learned APP for the State, Ms. Anita Kumari Singh.

This is an application for grant of anticipatory bail in connection with Rajapakar (Baranti O.P.) P.S. Case No. 194 of 2019 registered for the offence punishable under Section 392 of the Indian Penal Code.

The case of the prosecution in brief is that three persons including the petitioner herein had robbed the motorcycle of the



informant, cash amounting to a sum of Rs. 50,000/-, ATM card, mobile and other articles. It is alleged that while the miscreants were fleeing away, one of the miscreant fell down and was apprehended, whereupon he disclosed his name as Manoj Kumar as also disclosed the name of the petitioner and other accused persons to be his accomplice.

The learned counsel for the petitioner has submitted that the name of the petitioner has transpired in the present case upon confessional statement having been made by the co-accused person, namely, Manoj Kumar and the petitioner has got no complicity in the matter. It is further submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. Lastly, it is submitted that no recovery has been made from the house of the petitioner.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the fact that the petitioner is having a clean antecedent and no recovery has been made from the house of the petitioner as far as the looted articles and cash amount is concerned, I deem it fit and proper to enlarge the petitioner above named, in the event of his arrest or surrender



before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Rajapakar (Branti O.P.) P.S.Case No. 194 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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