

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.16481 of 2020**

Arising Out of PS. Case No.-195 Year-2019 Thana- SHAHKUND District- Bhagalpur

SHAURAV KUMAR GUPTA S/o Ashok Kumar Gupta Resident of Village-
Khudia, Ward No.05, P.S.- Tarapur, Distt- Munger.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha,Advocate

For the Opposite Party/s : Mr.Sangeeta Sharma,APP

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

2 12-06-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in the present case is seeking anticipatory bail in connection with Sahkund P.S. Case No. 195 of 2019 registered for the offences punishable under Section 392 of IPC.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Learned counsel submits that the petitioner has no concern with the looted mobile and he has no criminal antecedent.

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



Considering the facts and circumstances of the case wherein, from the materials available on the record itself learned counsel for the petitioner has been able to demonstrate that in fact the looted mobile was being used by one Prabhakar Kumar who made a statement that he had purchased the mobile from co-accused Amit Kumar and he also disclosed that the said Amit Kumar is using the motorcycle of the informant but the name of this petitioner has been brought in this case only because he happens to be the brother of the said Amit Kumar and it is for that relationship because of which the petitioner has been brought in this case even though he is working in Himachal Pradesh and seldom comes to his house and to this effect a statement has been made in paragraph '12' of the present application as also that the petitioner has cooperated in course of investigation while appearing before the investigating officer, let the petitioner above named in the event of his arrest or surrender within a period of four weeks from today in connection with Sahkund P.S. Case No. 195 of 2019 be released on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Bhagalpur, subject to the conditions 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.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

SUSHMA2/Arvind

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

