

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17133 of 2020**

Arising Out of PS. Case No.-363 Year-2019 Thana- DEEPNAGAR District- Nalanda

=====

DHARMENDRA KUMAR S/o Bijay Kumar Resident at 186 Ward No. 7,
Jawahar Nagar, Bhilwarah, P.S.- Bhilwarah, Rajasthan 311001, Parental
House at village- Nekpur, P.S.- Chabilapur, Distt.- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Rabindra Prasad Singh

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta

=====

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 11-09-2020 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 Sri

Anand Mohan Prasad Mehta, the learned A.P.P. for the State.

This is an application for grant of anticipatory bail

in connection with Deepnagar PS case no. 363 of 2019

registered for the offences punishable under Section 392 of

Indian Penal Code.

The informant has alleged that while he was going

by his Honda motorcycle, on the way, two miscreants had

stopped him, whereafter they had taken the key of the

motorcycle and had opened the dicky, whereafter they had taken



out the mobile phone lying in the dicky as also had snatched the gold chain and ring as well as a sum of Rs. 25,000/- and other documents from the informant and had then fled away.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is having a clean antecedent. It is further submitted that the petitioner has been roped in the present case merely on suspicion.

Having regard to the facts and circumstances of the case, considering the submissions of the learned counsel for the petitioner and taking into account the fact that the petitioner is having a clean antecedent and has been roped in the present case merely on suspicion, inasmuch as the FIR is against unknown miscreants, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail, however subject to certain conditions, inasmuch as the investigation is still pending. Accordingly, the abovenamed petitioner, in the event of his arrest or surrender before the 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, Nalanda at Biharsharif in connection with Deepnagar PS case no. 363 of 2019 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

This Court further directs that since the investigation of the present case is going on, the petitioner herein would appear before the Officer-in-charge of the concerned police station on each and every Monday of the week and co-operate with the Investigating Officer and in case of two consecutive defaults in appearing before the said Officer-in-charge, the present privilege of anticipatory bail being granted to the petitioner herein shall stand cancelled automatically and the petitioner would be taken into custody forthwith.

(Mohit Kumar Shah, J)

rinkee/-

U		T	
---	--	---	--

