

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28663 of 2020

Arising Out of PS. Case No.-693 Year-2018 Thana- HAJIPUR SADAR District- Vaishali

MUKESH KUMAR Son of Surendra Ray Resident of Village- Daulatpur,
P.S.- Hajipur Sadar, Dist- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 04-01-2021 Heard learned Counsel for the petitioner and the learned
Counsel for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner apprehends arrest in Hajipur Sadar PS Case No. 693 of 2018 registered under Sections 356, 379 and 414 of the IPC.

While the informant was returning along with his wife, it is alleged that two motorcycle borne criminals have snatched the purse from his wife. One miscreant has been apprehended who has disclosed petitioner's name as being the other who fled away.

Learned Counsel for the petitioner submits that the implication is based on extraneous consideration since Vikram was having inimical terms with his brother. It is submitted that such implication on statement of co-accused which has no evidentiary value, is unreliable. There is no recovery from the petitioner to even suggest that he had any role to play. The allegations whatsoever are against co-accused Vikram and the petitioner has no criminal antecedent.



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

Having considered the rival submissions this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

Accordingly, let the petitioner above named, in the event of arrest or surrender before the court below within four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of CJM Vaishali at Hajipur. in Hajipur Sadar PS Case No. 693 of 2018 subject to all conditions as laid down in Section 438(2) of the Criminal Procedure Code as also the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

SNkumar/-

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

