

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4627 of 2021

Arising Out of PS. Case No.-12 Year-2019 Thana- RAJAPAKAR District- Vaishali

Raj Kishore Singh S/O Late Ramanand Singh @ Rama Nandan Singh R/O
Village- Sahdullahpur, P.S. Ganga Bridge, Dist- Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar No.1, Adv.

For the Opposite Party/s : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-11-2021 Heard.

The petitioner apprehends his arrest in connection with Raja Pakar P.S. Case No. 12 of 2019 for the offence punishable under Sections 356, 379/34 of the Indian Penal Code .

The allegation is regarding unknown miscreants having intercepted the motorcycle of the informant whereupon they had snatched the mobile phone and motorcycle of the informant, however at the time of fleeing away, the one of the miscreant had dropped his mobile phone, which was recovered by the police and thereafter, the co-accused person namely Pankaj Kumar Suman was arrested on the basis of the said mobile phone left at the place of occurrence.

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 co-accused person namely Pankaj Kumar Suman, who had been



arrested on the basis of the mobile phone left by the miscreants at the place of occurrence and is stated to be the owner of the said mobile phone, upon being interrogated by the police, had disclosed the name of the petitioner to be one of his accomplice and that is how the petitioner has been implicated in the present case. Nonetheless, it is submitted that neither any stolen articles have been recovered from the house of the petitioner nor there is any material on record to suggest the complicity of the petitioner in the alleged occurrence.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record, this Court finds that prima facie the main accused in the present case appears to be the co-accused person namely Pankaj Kumar Suman and merely on his confessional statement, wherein he has disclosed the petitioner to be one of his accomplice, the petitioner has been falsely implicated in the present case, however, the petitioner is not only having a clean antecedent but the stolen articles i.e. the mobile phone/ motorcycle of the informant have also not been recovered from the petitioner or his house, hence, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender



before the learned court below within a period of four weeks from today, the petitioner, above-named, shall be enlarged on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. XIII cum Sub-Judge-XIV, Hajipur (Vaishali) in connection with Raja Pakar P.S. Case No. 12 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Mohit Kumar Shah, J)

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