

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26618 of 2022

Arising Out of PS. Case No.-281 Year-2021 Thana- NOORSARAI District- Nalanda

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GANESH CHAUHAN Son of Hari Chauhan Resident of Village - Mahadeo
Bigha, Police Station - Noorsarai, District - Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-10-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Noorsarai P.S. Case no. 281 of 2021 instituted for the
offence under Section 392 of the Indian Penal Code.

As per allegation in the FIR, while informant was
going by his scooty, three accused persons came on a
motorcycle and stopped him. On gun point, they snatched his
bag containing cash of Rs. 40,000/-, mobile and several cheques
and fled away.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. The name of the petitioner has been disclosed in this



case by the apprehended co-accused, namely, Golu Kumar and Sumit Mishra, before the police which has no evidentiary value in the eye of law. Neither the petitioner was arrested nor any incriminating article has been recovered from his possession.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Noorsarai P.S. Case no. 281 of 2021, he will be enlarged on 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 ACJM-VII, Nalanda at Biharsharif subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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