

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29766 of 2022

Arising Out of PS. Case No.-573 Year-2020 Thana- JAHANABAD District- Jehanabad

SIKANDAR KUMAR @ SIKANDAR RAJ Son of Mahendra Prasad @ Mahendra Prasad Singh Resident of Village - kanaura, P.s.- Sigori, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha
For the Opposite Party/s : Mr. Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-09-2022 Heard the parties.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioner apprehends his arrest in a case registered for the offence punishable under section 420, 467, 468, 471, 34 of IPC.

Allegedly, co-accused Pappu Kumar illegally collected money from PDS shopkeepers, by showing them that he is an officer of Indian Food Corporation and Secretariat. The petitioner is the owner of the said motor cycle seized by the police, which was being used by Pappu Kumar.



It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. The petitioner and co-accused Pappu Kumar are full brothers. The petitioner is the owner of the said motor cycle which is seized by the police. On the alleged day of occurrence, motorcycle of the petitioner was in the possession of his brother i.e. Pappu Kumar, and petitioner has no concern with the alleged occurrence. The petitioner has neither been apprehended from the spot nor any incriminating articles has been recovered from his conscious physical possession. There is no specific overt act against the petitioner. Petitioner has no criminal antecedent, as also mentioned in para-3 of the bail application.

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

Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioner, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned court below within a



period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in Jehanabad P.S. Case No.573 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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