

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32214 of 2022

Arising Out of PS. Case No.-492 Year-2020 Thana- KATIHAR NAGAR District- Katihar

1. DEEPAK KUMAR SON OF KAMAL KISHORE YADAV Resident of Mohalla-Jagarnathpuri Barmasia, P.S.-Katihar (Sahayak), District-Katihar.
2. Rakesh Yadav alias Rakesh Kumar Yadav Son of Ajay Yadav Resident of Mohalla-Jagarnathpuri Barmasia, P.S.-Katihar (Sahayak), District-Katihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghvendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-11-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 447, 341, 323, 354(A), 356, 379 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that on the date of occurrence the informant had gone to her orchard to pluck flower where two unknown accused arrived and took away the ornaments from her possession and fled from there.

Learned counsel for the petitioners submits that



petitioners have been falsely implicated in the present case, it is next submitted that the FIR is against unknown and the name of the petitioners transpired during the course of investigation, it is also submitted that petitioners will cooperate in the investigation and will present themselves as and when required by the Investigating Officer of the case.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Katihar Town P.S. Case No. 492 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. with a further condition that one of the bailors of the petitioners shall be their respective father.

Further, if the Investigating Officer of the case files an application before the learned trial court bringing to its notice



that the petitioners despite giving undertaking before this Court that they will cooperate in the investigation are not cooperating in the investigation or are not presenting themselves as and when required, the learned trial court after giving an opportunity of hearing to the petitioners shall pass orders in accordance with law and will have the liberty to even cancel the bail bonds of the petitioners also.

The learned trial court is directed to send a copy of this order to the concerned P.S.

(Satyavrat Verma, J)

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