

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33854 of 2022

Arising Out of PS. Case No.-538 Year-2021 Thana- NAUBATPUR District- Patna

VISHAL KUMAR S/o Sidhnath Prasad @ Sidhnath Prasad Yadav R/o
village- Adla, P.S.- Naubatpur, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate
For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 392 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner has antecedent of one case and is aged about 19 years and the informant alleges that he was intercepted by three motorcycle borne criminals who looted him and his relative of the valuables as detailed in the FIR.

Learned counsel for the petitioner submits that FIR against unknown and during the course of investigation one Vivek was arrested who disclosed that he had purchased the said mobile for Rs. 4500/- from Krishna Kumar and Vishal Kumar



(petitioner). The learned counsel for the petitioner next submits that it absolutely does not stand to reason that as to how Vivek could have purchased the mobile from two persons either he could have purchased it from Krishna or from this petitioner but since he alleges that he had purchased the mobile from both the accused that creates doubt with regard to the veracity of the allegation as has transpired during the course of investigation. The learned counsel for the petitioner further submits that petitioner will present himself as and when required by the Investigating Officer and will co-operate in the investigation.

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

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Naubatpur P.S. Case No. 538 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.



In the event, if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving undertaking to this Court is not co-operating in the investigation or does not appear when called for, the learned trial court after giving an opportunity of hearing to the petitioner shall pass order in accordance with law and shall have the liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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