

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34039 of 2022

Arising Out of PS. Case No.-38 Year-2018 Thana- BAIRIYA District- West Champaran

Prabhat Kumar Singh Son Of Mahendra Singh R/O- Banuchapar, Ward No. 10, P.S.- Banuchapar, Bettiah, Dist.- West Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr.Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-11-2022 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 Bairiya P.S. Case no. 38 of 2018 instituted for the offence under Section 392 of the Indian Penal Code.

The prosecution case is that when the informant was going to his house then four persons intercepted him and snatched his mobile and cash of Rs. 20,000/-. It is further alleged that they assaulted him and threatened to kill him.

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



the confessional statement of co-accused, namely, Kundan Kumar Pandey. There was no eye witness of the said occurrence. It is further submitted that neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession.

Learned APP appearing for the state has opposed the prayer of anticipatory 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 Bairiya P.S. Case no. 38 of 2018, 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 A.C.J.M., 3rd Bettiah, West Champaran subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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