

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34303 of 2022

Arising Out of PS. Case No.-311 Year-2021 Thana- MOTIHARI TOWN District- East
Champaran

-
1. Rajesh Kushwaha Son of Basadh Mahto Resident of Village - Rani Pakari, P.S.- Muffasil, District - West Champaran.
 2. Lagan Sah Son of Belash Sah Resident of Village - Rani Pakari, P.S.- Muffasil, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-11-2022 Heard learned counsel for the petitioners and
learned APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Motihari Town P.S. Case no. 311 of 2021 instituted for the offence under Sections 420, 379, 411/34 of the Indian Penal Code.

As per allegation in the FIR, when the informant was returning from State Bank of India after withdrawal of Rs. 48,000/- in the meantime the petitioners along with other co-accused persons came and snatched the said amount from him. It is further alleged that two co-accused persons were



apprehended on spot and Rs. 1500 was recovered from each and a motorcycle was also recovered from there.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have got no criminal antecedent. They have falsely been made accused in this present case. The name of the petitioners has been disclosed in this case on confessional statement of co-accused persons who were apprehended on spot, which has no evidentiary value in the eye of law. It is further submitted that neither the petitioners were arrested on spot nor looted money has been recovered from their conscious possession. It is further submitted that the said vehicle which was recovered, does not belong to these petitioners.

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 petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Motihari Town P.S. Case no. 311 of 2021, they will be enlarged on bail on furnishing bail



bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

amandeep/-

U		T	
---	--	---	--

