

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40427 of 2022

Arising Out of PS. Case No.-356 Year-2021 Thana- NAWADA MUFFASIL District- Nawada

1. AKASH KUMAR Son of Ashok Choudhary Resident of Village - Kadirganj, P.S.- Kadirganj, Distt.- Nawada.
2. Sudhanshu Kumar @ Sudhanshi Kumar Son of Raju Sao Resident of Village - Kadirganj, P.s.- Kadirganj, Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate
For the Opposite Party/s : Mr. Rabindra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-12-2022 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 379, 511 and 34 of the Indian Penal Code.

The informant alleges one Mithilesh was caught while committing theft of E-rickshaw and battery and he disclosed the name of the accused persons including the petitioners.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and are aged about 21 and 24 years. Learned counsel further submits that the petitioners have been falsely implicated in the present case, it is next submitted that petitioners were not caught from the place of occurrence and their name came in the confessional statement of Mithilesh in police custody which does not have any evidentiary value, it is next



submitted that petitioners are young boys and their entire career would be jeopardized if they are sent to jail and chances are bright that they may come in contact of hardened criminals, it is also submitted that since their name transpired in confessional statement, as such, it would amount to travesty of justice sending them to the jail.

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 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) each 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 Muffasil P.S. Case No. 356 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

One of the bailor of the petitioners shall be their respective fathers i.e., Ashok Choudhary and Raju Sao

(Satyavrat Verma, J)

HarshPandey/-

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