

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42264 of 2022

Arising Out of PS. Case No.-325 Year-2021 Thana- MUFFASIL District- Aurangabad

Kundan Kumar @ Mukesh Kumar, S/O Lalan Singh R/O Village-
Sanhanpura, P.S.- Obra, District- Aurangabad

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Kumari Shubham Mr. Shashank Shekhar
For the Opposite Party/s	:	Mr. Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-09-2022 Heard learned counsel for the petitioner and learned
APP for the State.

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

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the informant
alleges that he was intercepted by the three criminals on two
motorcycles, who on point of gun, snatched his Swift car. On
chase by the police, the miscreants fled leaving behind one of
the motorcycles.

The learned counsel for the petitioner submits that the
F.I.R. was against unknown and during investigation, some



accused were arrested and the name of this petitioner transpired in the confessional statement of co-accused. The learned counsel submits that specifically, it has been pleaded at Para-12 that the F.I.R. alleges that three persons had indulged in the crime. At the time of occurrence, the villagers clearly stated the name of the accused persons as Prakash Kumar Singh @ Prakash Banna, Raushan Kumar @ Gadar and Nikhil Kumar, but the petitioner was not named. Further, at Para-13, it has been specifically pleaded that a moment, the petitioner came to know about his false implication in the case, he contacted the informant, who was also surprised that as to how the 4th person is being dragged in the present case when only three accused had participated in the crime. Accordingly, the informant filed a petition before the learned trial Court regarding the innocence of the petitioner in the crime as would be evident from Annexure-3 to the anticipatory bail application. It is next submitted that petitioner is a student of R.K.D.F. Polytechnic College, Ranchi.

Learned A.P.P. opposes the bail application.

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 Court below within a period of six weeks, is directed to be released on bail



on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Aurangabad (Muffasil) P. S. Case No.325 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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