

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44980 of 2022

Arising Out of PS. Case No.-74 Year-2022 Thana- BARBIGHA District- Sheikhpura

OM SHANKAR @ ADITYA RAJ SON OF PRAMOD KUMAR R/O VIL-
LAGE- KISHNPUR, P.S.- BARBIGHA, DISTRICT- SHEIKHPURA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar

For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-12-2022 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 Barbigha P.S. Case no. 74 of 2022 instituted for the offence under Section 414 of the Indian Penal Code.

Prosecution case relates to recovery of stolen motor-cycle. Petitioner along with co-accused Dilip Kumar and Om Shankar were engaged in lifting two-wheelers.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. The name of the petitioner has been disclosed in this case by apprehended co-accused Murari Kumar before the police, which has no evidentiary value in the eye of law. Neither



the petitioner was arrested nor any incriminating article has been recovered from his possession.

Learned APP appearing for the State has opposed the prayer of 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 Barbigha P.S. Case no. 74 of 2022, 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 C.J.M. Sheikhpura subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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