

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57146 of 2021**

Arising Out of PS. Case No.-431 Year-2020 Thana- PAKARIBARAW District- Nawada

VIKASH KUMAR SON OF UPENDRA PRASAD @ UPENDRA YADAV
R/O VILLAGE - TANPURA, P.S. - PAKRIBARAWAN, DISTRICT-
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. Md. Mushtaque Alam, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

3 11-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offence punishable under Section 394 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner is a person with clean antecedent.

The informant alleges that after selling chicken when he was coming back along with his Khalasi of the Bolero Pick-Up with Rs.25,000/- and some leftover chicken they were intercepted by four persons on a bike and they assaulted the Khalasi and snatched Rs.25,000/- and even snatched the keys of the van. It is next alleged that the informant recorded the number of the motorcycle as detailed in the FIR.



Learned counsel for the petitioner further submits that petitioner is innocent and has been falsely implicated in the present case. The name of the petitioner came based on the confessional statement of co-accused Hari Shankar. It is submitted that the said Hari Shankar has also disclosed the name of Sanoj Yadav who was granted anticipatory bail by the learned court below by order dated 13.04.2022 in A.B.P. No. 535 of 2020 on the ground that Sanoj Yadav was known to the informant from before, as such, had he participated then the informant would have named him. Learned counsel, thus, submits that the credibility of the statement of Hari Shankar is in doubt and even a motorcycle was recovered from a place in front of the house of Hari Shankar.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

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 from today, be released on anticipatory bail on furnishing bail bonds 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/successor court in connection with Pakribrawan
P.S. Case No. 431 of 2020, subject to the conditions as laid
down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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