

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71200 of 2021

Arising Out of PS. Case No.-262 Year-2021 Thana- KHAIRA District- Jamui

UPENDRA KUMAR Son of Sukhdeo Ravidas Resident of Village -
Dumariyatand, P.S.- Khaira, Distt.- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar, Adv.

For the Opposite Party/s : Mr. Arvind Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 15-06-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner undertakes to
remove the defects as pointed out by the office within three
weeks on resumption of physical mode, failing which the office
is directed to place the matter before the Bench.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 414, 406,
420/34 of the Indian Penal Code.

As per prosecution case, the informant alongwith
police party was on patrolling duty, they saw that 6-7 boys
standing with two motorcycles, seeing the police party, they
started fleeing leaving their motorcycles and bag, on chase, one



miscreant was apprehended by the police. He disclosed the name as Manish Kumar Singh and he also disclosed the name of this petitioner and others accused persons who fled away.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence rather he has falsely been implicated in this case. He further submits that there is general and omnibus allegation against the petitioner and no incriminating articles has been recovered from the possession of the petitioner. On the basis of confessional statement of co-accused, namely, Manish Kumar Singh, he has been made accused in this case. He further submits that the petitioner has no concerned with the said stolen articles and the petitioner has no criminal antecedent as stated at para 3 of the bail petition.

Learned APP for the State vehemently opposed the prayer for bail petition.

In the aforesaid facts and circumstances of the case, I am inclined to grant anticipatory bail to the above named petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, 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 Chief Judicial Magistrate, Jamui in connection with Khaira P.S. Case No. 262/2021, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure; with further condition is that the petitioner is directed to remain physically present before the lower court on each and every date fixed in the case and if he fails to do so on two consecutive dates his bail bonds shall be liable to be cancelled.

(Chandra Prakash Singh, J)

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