

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71896 of 2021**

Arising Out of PS. Case No.-142 Year-2021 Thana- BRAHMPURA District- Muzaffarpur

VISHAL KUMAR @ VISHAL GUPTA Son of Amarnath Gupta Resident of
Village - Chiknauta @ Repura, P.S.- Karja, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur

For the Opposite Party/s : Mr. Umesh Lal Verma

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 06-07-2022 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 Brahampura P.S. Case no. 142 of 2021 instituted for the offence under Sections 406, 420, 379 and 34 of the Indian Penal Code.

As per allegation in the FIR, after making conspiracy of loot by the wife of the informant and the petitioner, several items i.e. jewellery and cash amount were taken away from the house of the informant in the absence of his family. Petitioner is distantly related with the wife of the informant

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Petitioner is cousin of the wife of the informant. Nothing has been recovered from constructive possession of the petitioner. He is a



student and has been falsely implicated in this case. There is an explained delay of one month in lodging the FIR, which falsify the prosecution story. As per paragraph 3 of the petition, petitioner is a man of clean antecedent. Specific allegation of making conspiracy is against the wife of the informant, namely, Satakshi Sonam, who has already been enlarged on bail by order dated 10.05.2022 passed in Cr. Misc. No. 60779 of 2021.

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 Brahampura P.S. Case no. 142 of 2021, 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 CJM, Muzaffarpur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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