

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9871 of 2023

Arising Out of PS. Case No.-752 Year-2021 Thana- SITAMARHI District- Sitamarhi

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Amir @ Maroof @ Aamir Son Of Md. Reyaz R/O Vill.- Parsauni, P.S.-
Parsauni, Distt.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Santosh Kumar, Advocate

For the Opposite Party/s : Mr.Nagendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 19-05-2023 Heard the learned counsel for the
petitioner and learned APP for the State.

This is an application for grant of anticipatory bail in connection with Sitamarhi P.S. Case No.752 of 2021, registered for offence under Section 392 of the IPC.

The allegation is regarding four unknown miscreants having intercepted the informant and having snatched his motorcycle on pistol point.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and



he is having a clean antecedent. The learned counsel for the petitioner has further submitted that neither there is any evidence to connect the petitioner with the alleged crime nor any stolen motorcycle has been recovered from the house of the petitioner, hence the petitioner is not having any complicity in the matter. It is further submitted that merely on the confessional statement of the co-accused persons, the petitioner has been falsely implicated in the present case.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that neither any evidence has been collected during investigation, so as to connect the petitioner with the alleged crime nor any stolen motorcycle has been recovered from the house of the petitioner, I deem



it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the above named petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below, within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Sitamarhi in connection with Sitamarhi P.S. Case No.752 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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