

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13823 of 2023

Arising Out of PS. Case No.-262 Year-2022 Thana- BARUN District- Aurangabad

ANSHU KUMAR S/O LATE KRISHNA SINGH Resident of Village-
Dhamani Gola, P.S.- Barun, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mukul Kumari, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 23-05-2023 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner is apprehending his arrest in connection with Barun P.S. Case No. 262/ 2022 registered for the offence punishable under Section 379 of the Indian Penal Code (for brevity 'IPC').

A truck, laden with sand, was kept in the care of the police station, from where it is alleged that one Deepkak Kumar, with the help of five (5) other named accused persons, including the petitioner, has been taken away. The truck has, subsequently, been seized at the toll plaza.

Learned counsel for the petitioner submits that the specific allegation of driving the truck away from police station is against co-accused. Truck stands in



the name of Chandan Kumar, who has been allowed bail in Cr. Misc. No. 53567 of 2022. On account of the petitioner's implication in Barun P.S. Case No. 57 of 2020, he has been implicated in this case, merely on suspicion and due to village politics. The petitioner claims parity with co-accused, namely, Chandan Kumar by submitting that the petitioner's case stands on better footing.

Learned APP for the State has opposed the prayer for anticipatory bail.

Having regard to the submissions advanced by the petitioner's counsel, petitioner's claim based on parity with co-accused, namely, Chandan Kumar and the fact that the petitioner was not arrested along with the truck, this Court is inclined to allow petitioner's prayer for grant of anticipatory bail.

Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Aurangabad, in connection with Barun P.S. Case No. 262/2022, subject to the following conditions:

(i) That one of the bailors of each of the



petitioner will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner concerned. The bailors will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if they fail to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

(Madhuresh Prasad, J)

Raj kishore/-

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