

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16888 of 2023

Arising Out of PS. Case No.-735 Year-2022 Thana- PATRAKARNAGAR District- Patna

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Ashutosh Kumar Alok Son Of Bhola Prasad Sinha R/O Tarapur, P.S.-
Sangrampur, District- Munger

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Narain, Sr. Advocate

Mr.Sunil Srivastava, Advocate

For the Opposite Party/s : Ms.Sharda Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 24-05-2023 Heard the learned senior counsel for the
petitioner and learned APP for the State.

This is an application for grant of
anticipatory bail in connection with Patrakarnagar
P.S. Case No.735 of 2022, registered for offences
under Sections 467, 468, 477A, 420 and 423 of the
Indian Penal Code.

The allegation is regarding the informant
and others having conducted a raid at the house in
question situated at Patrakarnagar on 18.11.2022,
at about 9 pm, whereafter they had found two



persons sitting there, namely, Manoj Kumar and the petitioner herein. It is also alleged that the said house had been hired on monthly rent and a parallel circle office of Sampat Chak, Patna, was being run from there and several articles, including official files were recovered from the said place. It is alleged that the co-accused person, namely, Manoj Kumar was arrested from the said premises.

The learned senior 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 senior counsel for the petitioner has further submitted that though the petitioner is alleged to be present at the place of occurrence, but only the co-accused person, namely, Manoj Kumar was arrested by the informant and others, hence it is apparent that the petitioner is not having any complicity in the matter. It is further submitted that though the said Manoj Kumar is not a government official, however, the petitioner is a clerk, who was posted earlier in the office of the



Block Development Office, Naubatpur and then he has been transferred to the office at Sampatchak. It is also submitted that as far as the petitioner is concerned, no incriminating articles have been recovered from his possession.

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 the petitioner has neither been arrested from the place of occurrence nor he is a non-government employee, apart from the fact that he is having a clean antecedent, 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 Chief Judicial
Magistrate, Patna in connection with Patrakar
Nagar P.S. Case No.735 of 2022, 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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