

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23615 of 2023

Arising Out of PS. Case No.-166 Year-2022 Thana- JAGDISHPUR District- Bhagalpur

NIRBHAY KUMAR Son of Bholanath Thakur Resident of Village - Jamgoan
Near U.K. Medical Baluachak, P.S.- Jagdishpur, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anupa Nand Jha, Advocate

For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-07-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 419, 420,
467, 468 and 471 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the informant
alleges that on enquiry it was found that Raj Readymade shop
sell Sim Cards on basis of forged documents.

4. Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the present case, it is
next submitted that the petitioner no doubt is owner of the shop
but does not sell sim cards nor has any tie-ups with any telecom
company for selling sim.



5. It is next submitted that allegation is in realm of allegation and petitioner is a businessman. It is further submitted that petitioner will not abscond rather will cooperate in the investigation and will present himself as and when required by the Investigating Officer of the case for eliciting the truth and proving his innocence.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, 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 trial court where the case is pending/successor court in connection with Jagdishpur P.S. Case No. 166 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. However, it is made clear that in the event, if the Investigating Officer of the case filed an application bringing to the notice of the learned trial court that the petitioner despite giving assurance to this court is not cooperating in the



investigation or is not presenting himself as and when required the learned trial court shall be at liberty to cancel the bail bonds after recording reasons. Further, in the event if charge-sheet is submitted connecting the petitioner with the offence then the present anticipatory bail order shall loose its effect.

(Satyavrat Verma, J)

Adnan/-

U		T	
---	--	---	--

