

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21236 of 2023

Arising Out of PS. Case No.-447 Year-2022 Thana- UDWANTNAGAR District- Bhojpur

Pankaj Kumar, Son of Virendra Singh, Resident of Village- Bichhiyaon, P.S.- Sandesh, District- Bhojpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in the present case is seeking pre-arrest bail in connection with Udwanthnagar P.S. Case No. 447 of 2022 registered for the offence punishable under Section 395 of the Indian Penal Code. He has got no criminal antecedent.

As per the prosecution story, on 21.09.2022 when the informant along with one Dr. Gopal Chaudhary was returning to his house after purchasing medicine, some people were standing near Belaur Bangla at around 08:00 to 08:15 P.M. covering their faces. Four accused persons on two motorcycles intercepted the informant's motorcycle and the informant fell down. They snatched the key of motorcycle of the informant and also looted his bag having cash Rs.30,000/- and some medicine. They had also tried to snatch his mobile phone. In the meanwhile, the police



reached there and all the accused persons tried to escape.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Learned counsel submits that the name of the petitioner has transpired in the confessional statement of the apprehended accused.

Learned APP for the State has opposed the anticipatory bail of the petitioner.

Having regard to the facts and circumstances of the case wherein the name of the petitioner is said to have transpired in the statement of the apprehended accused in police custody and the petitioner has got no criminal antecedent, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner shall be released on bail in connection with Udwanthnagar P.S. Case No. 447 of 2022 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate Bhojpur at Ara, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and further condition that within two weeks from today, he will appear before the Investigating Officer of the case and shall co-operate in course of investigation.

And further condition that the court below shall verify



the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

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