

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25741 of 2023**

Arising Out of PS. Case No.-235 Year-2020 Thana- MINAPUR District- Muzaffarpur

Abhishek Kumar Son Of Kamod Rai @ Kamod Yadav Resident Of Village-
Shivraha Basudev Ps- Ahiyapur, Distt- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Kumar Sinha

For the Opposite Party/s : Mr. Renu Kumari

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 09-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Minapur P.S. Case no. 235 of 2020 instituted for the offence under Sections 379, 356, 411, 414, 34 of the Indian Penal Code.

From perusal of Annexure-1, it appears that the anticipatory bail petition of the petitioner was earlier withdrawn by order dt. 9.12.2022 passed in Cr. Misc. No. 43025 of 2023.

As per allegation in the FIR, while the informant was going to Patna on his motorcycle, meanwhile, two miscreants snatched his mobile phone as well as his motorcycle and trying to flee away. The informant chased the motorcycle rider and



caught one of them from whose possession, his mobile phone was recovered. This petitioner is alleged to have fled away with the motorcycle of the informant.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. The petitioner has not concerned with the alleged offence rather his name was transpired on the basis of statement of co-accused Anjani Kumar who was apprehended on spot. The alleged motorcycle does not belong to the petitioner and the informant did not claim to identify him. The petitioner has got no criminal antecedent as stated in para-3 of the petition.

Learned APP appearing for the state has opposed the prayer of bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Meenapur P.S. Case no. 235 of 2020, he will be enlarged on bail 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,



Muzaffarpur subject to the conditions as laid down under
section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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