

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27857 of 2023

Arising Out of PS. Case No.-122 Year-2022 Thana- SULTANGANJ District- Bhagalpur

AMIT KUMAR @ MUNNA Son of Late Sohindar Mandal Resident of
village - Gangania, P.S.- Sultanganj, District – Bhagalpur. Petitioner
Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 07-07-2023 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 Sultanganj P.S. Case No.- 122 of 2022 registered for the offences punishable under Sections 420, 467, 468, 471, 34 of the Indian Penal Code. He has got no criminal antecedent.

Learned counsel for the petitioner submits that when the informant verified Roshan Kumar owner of Mobile No. 7870460686 which was unclear due to which it was not verified. It shows that the owner of the said mobile no. i.e. Roshan Kumar was using the mobile illegally.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The only allegation against the petitioner is that one Roshan Kumar had obtained the SIM Card from the shop of this petitioner. He further submits that the petitioner had not sold the SIM Card knowingly.



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

Having regard to the facts and circumstances of the case, there being no allegation that the petitioner was illegally using the SIM Card, the allegation is that one Roshan Kumar had obtained the SIM Card from the shop of this petitioner, that being the allegation, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above named shall be enlarged on bail in connection with Sultanganj P.S. Case No.- 122 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 A.C.J.M. 1st, Banka, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

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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