

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34837 of 2023

Arising Out of PS. Case No.-84 Year-2021 Thana- HISUWA District- Nawada

Prince Kumar S/O Narendra Kumar R/O Village-Bhelubigha, P.S-Hisua,
Dist.-Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Adv

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-07-2023 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 379, 411 of the Indian Penal Code.

3. As per the FIR, the allegation against the petitioner is that he along with other co-accused persons used to extract soil from the embankment situated near brick-kiln at village-Bhelubigha and sale the same in the market causing damage to the embankment and structure of irrigation.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the name of the petitioner has come in the present FIR after a



long delay, on the basis of disclosure made by the villagers of Ohro Gram Panchayat after lapse of about nineteen days and based upon the information collected by the informant through WhatsApp message. He further submits that Similarly situated co-accused has been enlarged on bail by a co-ordinate bench of this court vide order dated 31.05.2023 passed in Cr. Misc. No. 17604 of 2023. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Considering the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Hisua P.S. Case No. 84 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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