

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36118 of 2023

Arising Out of PS. Case No.-53 Year-2022 Thana- KAJRAILI District- Bhagalpur

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RAKESH SINGH @ RAKESH KUMAR SINGH S/O SHIO KUMAR
SINGH @ SHANKAR SINGH R/O Village-Rainia, P.S. and Dist-Banka

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Anita Kumari,APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 07-08-2023 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 420, 386 and 34 of the Indian Penal Code.

3. Allegedly, petitioner, along with one Pawan Singh, being fake officers, stopped the informant's truck and demanded Challan. When the driver of the truck refused to show the challan, petitioner and one Pawan Singh forcefully snatched challan and Rs. 27,000/- from his possession and fled away.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been



falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner is not a fake officer rather he is an employee of Mahadev Enclave Pvt Ltd. which is an authorized company dealing in sand business in District Banka. He further submits that petitioner has employed in said company since 2015 and he is posted as an authorized person to make inquiry regarding sand vehicles at different *Balu ghats*, which is also got mentioned in para 2 of the supplementary affidavit. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, 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 Kajraili P.S. Case No. 53 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. The office is directed to trace out the supplementary



affidavit filed by the petitioner on 04.08.2023 and keep it on
record.

(Anjani Kumar Sharan, J)

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