

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36824 of 2023

Arising Out of PS. Case No.-6 Year-2022 Thana- SURYAGARHA District- Lakhisarai

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Himanshu Kumar @ Chotu S/O Late Binod Singh R/O Vill. Salempur, Ps.
Suryagarha, Distt. Lakhisarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Saroj Kumar Choudhary, Adv.

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 21-07-2023 Heard learned Counsel for the petitioner and learned

APP for the State.

2. The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 379, 307, 504, 506/34 of the Indian Penal Code read with Section 27 of the Arms Act.

3. As per the prosecution, the FIR has been lodged against four named accused persons against whom the allegation of snatching Rs.1,90,000/- from the informant outside the Bank which was given to him by his cousin after withdrawing the same.

4. Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits that both the accused and petitioner are residing in the same village and with a view to sale -purchase of the tax material, the dispute arisen between them.

5. Counsel further submits that under the deep rooted

conspiracy, petitioner's name has figured in this case. Counsel also submits that there were 4 accused persons in this case and the rest three accused persons have been granted anticipatory bail vide order dated 08.09.2022 passed by this Co-ordinate Bench of this Court in Cr. Misc. No. 28703 of 2022 which is Annexure-2.

6. Counsel further submits that antecedent of the petitioner is clean and he is ready to fulfill all the conditions whatsoever shall be imposed upon him.

7. Learned APP for the State opposes the prayer for bail and submits that no recovery has been shown from the possession of the petitioner.

8. In the present facts and circumstances, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 6 weeks from today, on furnishing bail bond to the satisfaction of the learned Court of C.J.M., Lakhisarai in connection with Surajgarha (Manikpur) P. S. Case No.06 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

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