

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39993 of 2023

Arising Out of PS. Case No.-34 Year-2018 Thana- BAKHTIYARPUR RAIL P.S. District-
Patna

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KANHAIYA KUMAR Son of Vinay Singh @ Binay Kumar D Singh
Resident of village - Bariyarpur, P.S. - Khaira, Distt. - Jamui. At present
address - R/o Mohalla - 74, Gayatri Nagar, Ichhapore, P.S. - Ichhapore, Distt.
- Surat (Gujarat)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Niranjana Parihar, Adv.

For the Opposite Party/s : Mr.Shailendra Kumar Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-08-2023 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 Section 379 of the
Indian Penal Code.

3. Allegedly, mobile phone of the informant was stolen.
FIR was lodged against unknown person.

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. He is not named in the FIR and his name has been surfaced in the present case in course of investigation. Similarly situated co-accused has been enlarged on bail by a co-ordinate bench of this court vide order dated 29.04.2023 passed in Cr. Misc. No. 28143 of 2022. 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, as similarly situated co-accused has been granted bail, 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 Bakhtiyarpur P.S. Case No. 34 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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