

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41835 of 2023

Arising Out of PS. Case No.-224 Year-2018 Thana- DINARA District- Rohtas

ASHOK SAH Son of Bhola Sah Resident of village - Narwar, P.S.- Kochas,
District - Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh

For the Opposite Party/s : Mr. Anil Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 07-08-2023 1. 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 392 of the Indian Penal Code.
3. The informant alleges that four unknown accused intercepted him and looted the articles as detailed in the FIR.
4. Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent.
5. Learned counsel for the petitioner submits that the FIR was against unknown and the name of the petitioner transpired in the confessional statement of Manjit who disclosed that it was the petitioner who arranged the motorcycle for committing the occurrence, further, Manjit also disclosed about



the involvement of Vicky in the occurrence and from the house of Vicky, 1 kg looted silver was recovered.

6. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case based on confessional statement of Manjit when admittedly he is a person with clean antecedent. It is next submitted that petitioner will not abscond, rather, will cooperate in the investigation and will present himself as and when required by the Investigating Officer for eliciting the truth and proving his innocence. It is further submitted that though Manjit had disclosed the name of Ashok Sah but then the father name is not disclosed by Manjit and there are several Ashok Sah in the village and the petitioner has been made a victim of circumstance.

7. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

8. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case



is pending/successor court in connection with Dinara (Bhanas)
P.S. Case No. 224 of 2018 subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

9. However, it is made clear that in the event if the
Investigating Officer of the case files an application before the
learned Trial Court bringing to its notice that the petitioner
despite giving assurance to this Court is not cooperating in the
investigation or is not producing himself when called, the
learned Trial Court would be at liberty to cancel the bail bonds
of the petitioner after recording reasons.

10. Let a copy of this order be sent to the
concerned P.S. through the learned Trial Court.

(Satyavrat Verma, J)

HarshPandey/-

U		T	
---	--	---	--

