

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44546 of 2023

Arising Out of PS. Case No.-533 Year-2022 Thana- RIGA District- Sitamarhi

Harendra Kumar S/O Late Shambhu Singh @ Late Shabhu Mahto R/O
Village- Jainagar, Ward No. 5, Ps. Riga, Dist. Sitamarhi

... .. **Petitioner**

Versus

The State of Bihar

... .. **Opposite Party**

Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar, Advocate
For the Opposite Party/s : Mr.Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner, in the present case, is seeking pre-arrest bail in connection with Riga P.S. Case No. 533 of 2022 registered for the offences punishable under Sections 413, 414 of the Indian Penal Code. He has two criminal antecedents as stated in paragraph '3' of the application.

3. As per the prosecution story, On secret information when the informant along with his police team reached at the place of occurrence two persons with three bikes tried to flee away but one of them was apprehended who disclosed his name as Suraj Kumar.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Learned



counsel submits that no incriminating article has been recovered from the conscious possession of the petitioner or from his house.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the submission that the alleged recovery/seizure is from the possession of the co-accused Suraj Kumar and the name of the petitioner has transpired in the statement of the apprehended accused in police custody, the incriminating article has not been recovered from the possession of the petitioner, this Court, therefore, directs that in case of his arrest/surrender within a period of four weeks from today, let the petitioner above-named be enlarged on bail on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Acting Chief Judicial Magistrate-VI, Sitamarhi, in connection with Riga P.S. Case No. 533 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case



at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

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