

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.51051 of 2021**

Arising Out of PS. Case No.-29 Year-2021 Thana- SHRIKRISHNAPURI District- Patna

Md. Riyan Alam Son of Md. Masood Alam Resident of Bhanwar Kasana  
Kothi, Flat no.- 201, 2nd Floor, Jamungali, P.S.- Pirbahore, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sanjesh Kumar Singh, Advocate.

For the Opposite Party/s : Mr.Abhay Kumar Roy, APP.

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

5      03-04-2023                      Heard Mr. Sanjesh Kumar Singh, learned counsel  
appearing on behalf of the petitioner and Mr. Abhay Kumar  
Roy, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection  
with Sri Krishnapuri P.S. Case No. 29 of 2021 registered for the  
offence punishable under Sections 356/379 of the Indian Penal  
Code.

3. Prosecution story, in brief, is that an F.I.R. was  
lodged against the unknown by the informant that three  
miscreants snatched his mobile phone and fled away.

4. Learned counsel appearing on behalf of the  
petitioner submitted that petitioner is not named in the F.I.R.  
Petitioner has been roped on the basis of confessional statement  
of one co-accused Rohit Pathak in course of investigation. No



recovery has been made from the possession of the petitioner or from his house. Petitioner is a student aged about 20 years having clean antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Considering the rival submissions of the parties, materials on record and allegation made in the F.I.R. which is against unknown, it appears that no recovery has been made from the possession of the petitioner, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-IV, Patna in connection with Sri Krishna Puri P.S. Case No. 29 of 2021, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. This order will automatically loose its force in case the statement made in Paragraph No.3 of the bail application is found to be incorrect.

**(Purnendu Singh, J)**

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