

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42159 of 2023

Arising Out of PS. Case No.-84 Year-2021 Thana- BELDOUR District- Khagaria

NANDAN KUMAR Son of Shailendra Yadav Resident of village - Suhath,
ward no. 13, P.S. - Sour Bazar, Distt. - Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 08-08-2023 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 Sections 392 of the Indian Penal Code.
3. Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent.
4. The informant alleges that he along with his clerk were returning with Rs. 1 lakh when they were intercepted by by three unknown accused persons who looted Rs. 1 lakh along with mobile on point of gun.
5. Learned counsel for the petitioner submits that the FIR was instituted against unknown and the petitioner came to be implicated based on confessional statement of Abhishek in



police custody wherein he disclosed that the looted mobile was given to the petitioner and thereafter based on CDR, the petitioner also came to be implicated as he was using the looted mobile. Learned counsel next submits that Abhishek in his confession has not disclosed that even petitioner had participated in the occurrence. It is also submitted that had the petitioner participated in the occurrence, then definitely he would not have been using the looted mobile. It is further submitted that the petitioner was completely unaware that the mobile was looted and thus was using it. It is submitted, at the cost of repetition, that petitioner is a person with clean antecedent.

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

7. 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. 20,000/- (Rupees Twenty 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 Beldaur P.S. Case



No. 84A of 2021 subject to the conditions as laid down under
Section 438 (2) of the Cr.P.C.

8. One of the bailors of the petitioner shall be his
father Shailendra Yadav.

(Satyavrat Verma, J)

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