

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43294 of 2023

Arising Out of PS. Case No.-426 Year-2022 Thana- ROSERA District- Samastipur

RAJESH KUMAR @ PURSHOTTAM @ RAKESH KUMAR ROY son of
Lutkoon Ray @ Uday Shankar Rai Village- Bhirha Ps- Rosera, Dist-
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

Mr. Pravin Kumar, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 18-08-2023 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 379 and 356/34 of the
Indian Penal Code as well as Sections 25(1-B)A, 26 and 35 of the
Arms Act.
3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.
4. The informant alleges that three accused persons
intercepted him and snatched his motorcycle and started fleeing away
but on alarm being raised two accused were apprehended who
disclosed their name as Amit Kumar and Saurav Kumar. From their
possession, one pistol along with one cartridge was recovered and
they disclosed the name of the petitioner.
5. Learned counsel for the petitioner submits that



petitioner has been falsely implicated in the present case. It is further submitted that petitioner was not apprehended from the spot nor he was present at the place of occurrence and he came to be implicated at the instance of Amit Kumar and Saurav Kumar against whom it is alleged that they disclosed the name of the petitioner as an accused who fled away from the place of occurrence. It is next alleged that petitioner has no concern with Amit Kumar and Saurav Kumar when admittedly he 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 Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds 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 Rosera P.S. Case No. 426 of 2022, 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, namely, Lutkoon Ray @ Uday Shankar Rai.

(Satyavrat Verma, J)

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