

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46130 of 2023

Arising Out of PS. Case No.-401 Year-2017 Thana- DALSINGHSARAI District- Samastipur

VIKASH KUMAR RAI @ VIKASH KUMAR son of Ghan Shyam Ray
Village- halai Ps- Tajpur Halai OP Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bela Singh
For the Opposite Party/s : Mr.Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 06-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Dalsingsarai P.S. Case No. 401 of 2017 registered for the offences punishable under Sections 379 and 411 of the Indian Penal Code.

3. As per prosecution case, informant's motorcycle has been taken away by unknown person.

4. Learned counsel for the petitioner submits that petitioner is not named in F.I.R. and his name has been transpired in this upon the confessional statement of co-accused Pintu Kumar. Except confessional statement, there is nothing on



record to demonstrate the complicity of the present petitioner with the alleged occurrence. Learned counsel for the petitioner orally submits that petitioner has falsely been implicated in two other cases of similar nature upon the confessional statement of same co-accused Pintu Kumar. Petitioner has nothing to do with the alleged occurrence and he has inimical term with the co-accused Pintu Kumar due to which petitioner has been dragged in the present case. No incriminating article has been recovered from the possession of the petitioner. He further submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, argument advanced on behalf of both sides and also taking into consideration the material available on record, 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 bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Dalsingsarai, Samastipur in connection



with Dalsingsarai P.S. Case No. 401 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Alok Kumar Pandey, J)

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