

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.47376 of 2023**

Arising Out of PS. Case No.-18 Year-2023 Thana- SABAUR District- Bhagalpur

Akash Kumar Son of Mahadeo Mandal @ Madho Mandal resident of Village  
Lailakh PS Sabour Dist Bhagalpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Kamal Kumar Sinha, Advocate  
For the Opposite Party/s : Mr. Khurshid Anwar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

2      11-08-2023                      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 Sabour P.S. Case No. 18 of 2023 registered for the offences punishable under Sections 392 of the Indian Penal Code and chargesheet has been submitted under Section 392/411 of the Indian Penal Code. He has got one criminal antecedent.

3. As per the prosecution story, on 17.12.2022 at about 08:45 A.M., when the informant was on his way to office, four masked miscreants surrounded him and on the point of pistol, looted his mobile phone and Rs.6,500/- from the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that no incriminating article has been recovered from the house of the petitioner.

5. Learned APP for the State has opposed the prayer for



anticipatory bail of the petitioner.

6. Having regard to the submission that the name of the petitioner has transpired in the confessional statement of co-accused Abhishek Kumar, no incriminating article has been recovered from his house, the FIR has been lodged after delay of 21 days, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above named be released on bail in connection with Sabour P.S. Case No. 18 of 2023 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur, 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.

8. This application stands allowed.

**(Rajeev Ranjan Prasad, J)**

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