

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48613 of 2022

Arising Out of PS. Case No.-202 Year-2021 Thana- MALSALAMI District- Patna

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AMIT KUMAR S/O MUNNA PRASAD Resident of Mohalla- Simli Chhoti
Mandir, P.S.- Malsalami, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Pradhan, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary No. 1, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 25-01-2023 Learned counsel for the petitioner is permitted to

remove the defect(s), as pointed out by the office, if any, within a

period of three weeks from today.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Section 392 of the
Indian Penal Code.

As per the prosecution case, the informant runs a shop
of *chilli*. On 31.05.2021, after closing the shop, the informant was
returning on his scooty with 5 lakhs rupees kept in a bag. On the
way, four miscreants boarded on three motorcycles intercepted the
informant and snatched the amount and the scooty of the
informant on the point of pistol.

Learned counsel for the petitioner has submitted that the



petitioner is innocent and has been falsely implicated in this case. The petitioner is not named in the F.I.R. He has further submitted that only two thousand rupees was recovered from a paint pocket of the petitioner. Whereas the occurrence took place on 31.05.2021 and the recovery has been made on 29.06.2021 and there is no explanation for this delay. The petitioner is accused in one more criminal case as stated in para 3 of the bail petition.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/ surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/-(Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna City in connection with Malsalami P.S. Case No. 202 of 2021, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

The application stands allowed.

(Chandra Prakash Singh, J)

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