

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51439 of 2023

Arising Out of PS. Case No.-218 Year-2021 Thana- BARARI District- Katihar

RAJ KUMAR Son of Arvind Kumar Resident of village - Anand Nagar, Naya
Tola, P.S. - Purnea Sadar, Distt. - Purnea

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 23-08-2023 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 Barari P.S. Case No.218 of 2021 registered for the offences punishable under Sections 452, 457 and 380/34 of the Indian Penal Code. The petitioner has got no criminal antecedent.

3. As per the prosecution story, some unknown miscreants had committed robbery in the house of the informant and had taken away his household articles, cash and golden jewelry.

4. Learned counsel for the petitioner submits that this petitioner is not named in the FIR and his name has been transpired in the confessional statement of the co-accused.



Learned counsel submits that no incriminating article has been recovered from the shop of the father of the petitioner in which petitioner was also sitting. It is submitted that the petitioner is a student of engineering.

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

6. Having regard to the facts and circumstances of the case wherein this petitioner is not named in the FIR, he is said to be a student of engineering and his name has been transpired in the confessional statement of the co-accused and further that no incriminating article has been recovered from the shop of the father of the petitioner in which petitioner was also sitting and he has otherwise no criminal antecedent, this Court directs that in case of his arrest/surrender within a period of four weeks from today, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Barari P.S. Case No. 218 of 2021, 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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