

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52454 of 2023

Arising Out of PS. Case No.-23 Year-2023 Thana- LALGANJ District- Vaishali

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Golu Kumar @ Amit Kumar Son of Arvind Singh Resident of village -
Murgiya Chak, P.S. - Lalganj, Distt. - Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs.Bela Singh, Adv.

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 23-08-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Lalganj PS Case No. 23 of 2023, dated 14-01-2023 registered for the offence punishable under Sections 413,414/34 of the Indian Penal Code.

3. It is submitted by the petitioner's counsel that the petitioner is a person with clean antecedent and is young aged about 19 years. The informant alleges that Banti and Sagar were arrested, who disclosed that the diesel engine was stolen. He also disclosed the name of the accused persons, including the petitioner as co accused, who fled after seeking the police. It is further submitted that the petitioner was not arrested from the spot as such, nothing was recovered from his conscious



possession. It is next submitted that he came to be implicated based on confessional statement of co-accused in police custody which does not have any evidentiary value. It is next submitted that the petitioner is young and having a clean antecedent and in the event, if he is sent to judicial custody chances are bright that he may come in contact with hardened criminals and his entire career may get jeopardize. Similarly situated co-accused person has been granted the privilege of anticipatory bail vide order passed in Cr. Misc. No. 19164 of 2023.

4. Learned APP for the State has opposed the prayer for bail.

5. Considering the rival submissions, claim based on parity and the clean antecedents of the petitioner, this Court, for the limited purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for anticipatory bail is allowed.

6. Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM II Vaishali, Hajipur, in connection with Lalganj PS Case



No. 23 of 2023, dated 14-01-2023, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure with following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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