

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47248 of 2022

Arising Out of PS. Case No.-77 Year-2020 Thana- NOKHA District- Rohtas

SUNIL YADAV @ SUNIL KUMAR SON OF NARESH YADAV R/O
VILLAGE- BAHARAR, P.S.- SASARAM (M), DISTRICT- ROHTAS AT
SASARAM

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 52926 of 2022

Arising Out of PS. Case No.-77 Year-2020 Thana- NOKHA District- Rohtas

ASHOK BAITHA @ ASHOK RAM SON OF MAHENDRA BAITHA R/O
VILLAGE- KHAIRAH, P.S.- BAGHAILA, DISTRICT- ROHTAS AT
SASARAM

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 47248 of 2022)

For the Petitioner/s : Mr.Chhote Lal Mishra, Advocate

For the Opposite Party/s : Mr.Tapeshwar Sharma, APP

(In CRIMINAL MISCELLANEOUS No. 52926 of 2022)

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

For the Opposite Party/s : Mr.Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 03-01-2023 Heard learned counsel for the petitioners and the
learned APP for the State.

The two petitioners Sunil Yadav @ Sunil Kumar in
Cr. Misc. No.47248 of 2022 and Ashok Baitha @ Ashok Ram in
Cr. Misc. No.52926 of 2022 have preferred separate anticipatory
bail applications apprehend their arrest in connection with
Nokha P.S. Case No.77 of 2020 instituted under Sections 395 of



the IPC.

As per the allegation, the informant is a driver of an Indane Gas Service and while returning, he was intercepted by some motorcycle borne persons and allegation is of snatching of Rs.39,000/- and a mobile phone beside the key of the van on the point of pistol. Subsequently, FIR was lodged.

Learned counsel for the petitioners submits that they are not named in the FIR and the name has come up in the confessional statement of one Chandan Kumar and accordingly have been made accused. The further submission is that nothing has been recovered from the houses of the two petitioners and the last submission is that none of them have criminal antecedent.

Learned APP on the other hand opposes the prayer for anticipatory bail.

Taking into account the fact that both the petitioners do not have criminal antecedent and one them is a young boy, name has come in the confessional statement and nothing has been recovered from their respective houses, this Court is inclined to grant them the privilege of anticipatory bail. If however, it is found that any of them are having criminal antecedent, the order with regard to the said petitioner shall



become infructuous.

Let the petitioners be released on bail, in the event of their arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each in connection with Nokha P.S. Case No.77 of 2020 to the satisfaction of learned Additional Chief Judicial Magistrate, Rohtas at Sasaram, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Prakash Narayan /-

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