

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58018 of 2023

Arising Out of PS. Case No.-799 Year-2021 Thana- FATUA District- Patna

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LAKSHMAN KUMAR S/O JOGENDRA RAY RESIDENT OF VILLAGE-
GADHOCHAK PS- NADI, DIST- PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad

For the Opposite Party/s : Mr.Abhay Kumar

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 13-10-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in
connection with Fatuha P.S. Case No. 799 of 2021 registered for
the offences punishable under Sections 420,412, 413 and 414 of
the Indian Penal Code.

3. As per prosecution case, three persons riding on
one motorcycle, after seeing the police personnel, tried to flee
away but one person was apprehended who disclosed his name
as co-accused Chintu Kumar. It is further alleged that co-
accused Chintu Kumar did not produce any document with
regard to motorcycle in question and he disclosed the name of
present petitioner and brother-in-law of the petitioner who fled
away from the place of occurrence. It is further alleged that co-



accused Chintu Kumar further disclosed that motorcycle in question was purchased by petitioner at lesser price, though, it was in his knowledge that it was the stolen one and they were trying to sell the said motorcycle in the market by searching customers.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. Petitioner bears no criminal antecedent. He further submits that petitioner was not present on the place of occurrence. Nothing has been recovered from possession of the petitioner. He further submits that except disclosure of co-accused Chintu Kumar, there is nothing on record to connect the petitioner with the alleged occurrence. In the light of aforesaid facts and circumstances of the case, no case is made out against the petitioner as the entire prosecution story is full of concoction and fabrication.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into



consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 2nd, Patna City, Patna in connection with Fatuha P.S. Case No. 799 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Alok Kumar Pandey, J)

vashudha/-

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