

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55005 of 2023

Arising Out of PS. Case No.-353 Year-2023 Thana- PURNEA SADAR District- Purnia

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Aman Kumar @ Aman Kumar Sah Son Of Raj Kumar Sah Resident Of
Village - Naka Chowk, Purnea City, P.S. - Sadar, District - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh, Advocate
For the Opposite Party/s : Md. Nazir Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 23-08-2023 Heard Mr. Bijendra Kumar Singh, learned counsel

appearing on behalf of the petitioner and Md. Nazir Ansari,

learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Sadar (Purnea) P.S. Case No. 353 of 2023 registered under
Section 392 of the Indian Penal Code.

3. The prosecution story, in brief, is that four
unknown miscreants looted mobile phone, Rs. 50-60 thousand
in cash, key of the shop, scooter and several type of jewellery of
gold and silver of the informant on gun point.

4. Learned counsel appearing on behalf of the

petitioner submits that petitioner is not named in the F.I.R. and the name of the petitioner transpired on the basis of confessional statement of the co-accused Dhananjay Kumar recorded in police custody. Learned counsel further submits that petitioner has clean antecedent and he has falsely been implicated in the present case.

5. Learned APP appearing on behalf of the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Having considered the rival submissions made on behalf of the petitioner, it appears that petitioner is not named in the F.I.R. and his name has been transpired on the basis of confessional statement of co-accused Dhananjay Kumar, the petitioner has clean antecedent. In above view of the matter, I am of the opinion that the petitioner has made out a, *prima facie*, case to be released on anticipatory bail.

7. Court below is directed to release the petitioner on anticipatory bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of learned C.J.M., Purnea in connection with Sadar (Purnea) P.S. Case No. 353 of 2023, subject to the condition as laid down

under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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