

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57838 of 2023

Arising Out of PS. Case No.-63 Year-2021 Thana- BALIGAON District- Vaishali

=====

KAMLESH KUMAR Son of Sri Dinesh Rai @ Dinesh Ray Resident of
village - Mahmmda, P.S. - Pusha, Distt. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bela Singh, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, A.P.P.

=====

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 23-11-2023 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in
connection with Baligaon P.S Case No. 63 of 2021 dated
14.05.2021 registered for the offence punishable u/s 392 of the
Indian Penal Code.

4. As per the prosecution case, when the informant
was returning to his house, three miscreants borne on one white
colour Apache motorcycle gave him signal to stop, on which the
informant stopped. Thereafter, one miscreant took the key of his



motorcycle bearing Registration No. BR06CF 4515 whereas other miscreant put pistol on his temple and snatched his motorcycle, *hanumani* from his neck, mobile and Rs. 500/- from his pocket and all the miscreants fled away towards east.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. It is further submitted that the F.I.R. was lodged against unknown persons but the petitioner has falsely been dragged in this case only on the confessional statement of the co-accused. It is further submitted that the petitioner was neither present at the place of occurrence nor involved in any manner in this occurrence. No incriminating article has been recovered from the conscious possession of the petitioner. The petitioner has one criminal antecedent as stated in para 3 of the bail petition.

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

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned,



Vaishali at Hajipur in connection with Beligaon P.S. Case No. 63 of 2021, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Nilmani/-

U		T	
---	--	---	--

