

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56564 of 2023

Arising Out of PS. Case No.-307 Year-2022 Thana- GRIYAK District- Nalanda

PAWAN KUMAR @ PAWAN YADAV Son of Genhari Yadav @ Arjun Yadav
R/o vill - Sundarpur, P.S. - Katrisarai, Distt. - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad, Advocate

For the Opposite Party/s : Ms.Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 30-08-2023 1. Heard the learned counsel for the petitioner and
learned APP for the State.

2. This is an application for grant of anticipatory
bail in connection with Giriyaak (Katarisarai) P.S. Case No.307
of 2022 (GR No.2775 of 2022), registered for offences under
Sections 419, 420, 468, 467 and 471 of the IPC and Sections
6(C) and 66(D) of I.T. Act.

3. The informant is stated to have received a secret
information that some miscreants had assembled at sundar
orchard and on the pretext of providing loan, were asking the
people, present there for their bank account number, PAN Card,
Aadhaar Card, whereafter the informant alongwith his police
force had conducted a raid at the alleged place of occurrence
and arrested one co-accused person, namely, Suman Rai and



from his possession various documents and mobile phones, as also sim cards were recovered. It is also alleged that when the police had interrogated the said Suman Rai, he had disclosed the name of his accomplices, including that of the petitioner herein.

4.The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner has further submitted that the name of the petitioner has transpired in the present case merely on the disclosure, made by the co-accused person, namely, Suman Rai, however, the same has got no evidentiary value in the eyes of law. It is also submitted that there is no evidence on record to connect the petitioner with the alleged crime inasmuch as even the FIR does not depict commission of any crime.

5. *Per contra*, the learned APP for the State has vehemently opposed the prayer for bail.

6.Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the name of the petitioner has transpired in the present case upon the



confessional statement, made by the co-accused persons, before the police, which has got no evidentiary value in the eyes of law, apart from the fact that he is having a clean antecedent, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

7.Accordingly, the above named petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below, within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Nalanda at Biharsharif, in connection with Giriyak (Katarisarai) P.S. Case No.307 of 2022 (GR No.2775 of 2022), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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