

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61834 of 2023

Arising Out of PS. Case No.-44 Year-2022 Thana- MANSI District- Khagaria

RAHUL KUMAR, S/o- SITA RAM YADAV, Village- Tikarampur PS-
Muffasil Dist- Munger

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Singh
For the Opposite Party/s : Mr.Navin Kumar Pandey

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

ORAL ORDER

3 01-11-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Mansi P.S. Case No. 44 of 2022 dated 08.02.2022 registered for the offences punishable u/s 394 of the Indian Penal Code and u/s 27 of the Arms Act.

3. As per the prosecution case, three unknown miscreants came on a motorcycle and intercepted the truck. Two miscreants entered the truck with pistol and took the informant towards river and tied his hands and feet. They took out truck chalan, cash of Rs. 2000/- and a mobile from the pocket of the informant. Thereafter, they fired on the informant which passed touching his stomach. When the informant reached the spot, he found his truck missing.



4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the confessional statement of the co-accused. No incriminating article has been recovered from the possession of the petitioner. It is further submitted that the petitioner has no concern with the alleged offence. The petitioner has clean antecedent as stated at para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. 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 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, Khagaria in connection with Mansi P.S. Case No. 44 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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