

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 58402 of 2023**

Arising Out of PS. Case No.-254 Year-2019 Thana- BARACHATTI District- Gaya

Mahtab Khan Son Of Late Ajad Khan Resident Of Village- Bhadeya Ps-
Barachatti Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Vijay Kumar, Advocate

For the Opposite Party/s : Mr Anant Kumar 1, APP

CORAM: HONOURABLE MR JUSTICE SUNIL DUTTA MISHRA

ORAL ORDER

2 20-09-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

2 The petitioner apprehends his arrest in connection
with Barachatti PS Case No 254 of 2019 instituted for the
offence punishable under Sections 384, 385, 414, 406, 120B,
379/34 of Indian Penal Code.

3 As per the prosecution case, allegation against the
petitioner is that on his asking, other co-accused persons
managed to get the vehicle passed through the toll plaza by
taking money.

4 Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He is not
involved in such type of offence. Except the confessional



statement of co-accused Babar Khan, nothing has come against the petitioner. The petitioner bears clean antecedent. Other similarly situated co-accused persons, namely, Raja Yadav @ Rajesh Kumar Yadav and Md Sadik Khan @ Sadique Khan, Ravi Shankar @ Ravi Singh have been granted anticipatory bail by the coordinate Benches of this Court vide Cr Misc No 5455 of 2020 and Cr Misc No 4945 of 2021 respectively.

5 Learned APP opposes the prayer for anticipatory bail.

6 Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner shall be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of ACJM II, Sherghati at Gaya in connection with Barachatti PS Case No 254 of 2019 subject to the conditions as laid down in Section 438 (2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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