

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63012 of 2022

Arising Out of PS. Case No.-759 Year-2021 Thana- KANTI District- Muzaffarpur

NEHAL KUMAR S/O PRABHU PRASAD Resident of Rahul Nagar, Gumti No-03, Kushwaha Kunj, Brahampura, M.I.T., P.S.- Brahampura, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. RAJEEV RANJAN PRAKASH S/O PATHAK HARENDRA PRAKASH Resident of village- Tripuram, Dariyapur, P.S.- Kurthaila, District- Patna, Presently posted as Branch Manager and Service Manager at Bajaj Allianz General Insurance Company Limited.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jagjit Roshan
For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 23-03-2023 Heard learned counsel for the petitioner as well as learned APP for the State.

The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 467, 468, 471, 419, 420 of the Indian Penal Code.

As per the allegation, the petitioner claimed for compensation regarding theft of his vehicle before an insurance company but during the course of verification, it was found that the said vehicle was seized by Brahampura Police in Brahampur P.S. Case No.108 of 2020.

It is submitted by learned counsel for the petitioner that



petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. There is no specific overt act against the petitioner. He further submits that the petitioner filed a complaint petition before the learned court below against five co-accused persons namely, Amit Singh, Sanjeet Singh, Vishnu Nand Singh, Ravish Kumar and Manoranjan Singh. He further submits that the vehicle of the petitioner was seized by the police in Brahampura P.S. Case No. 108 of 2020. The petitioner filed an application before this Hon'ble Court and by the order of this Hon'ble Court a direction was given to release the vehicle of the petitioner and hand it over to the petitioner but till date his vehicle has not been released by the concerned authorities. Petitioner has three criminal antecedent, as also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail by submitting that the petitioner is also involved in the present case but has fairly submitted that none of the witnesses have supported the prosecution case in the case diary.

Having regard to the facts and circumstances of the case,



as there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Kanti P.S. Case No.759 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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