

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63711 of 2023**

Arising Out of PS. Case No.-114 Year-2023 Thana- LAKHISARAI District- Lakhisarai

Ravi Kumar @RABI Kumar Son Of Dilip Mahto @ Dilip Mahato Resident
Of Village- Phulwaria 01, Ward No. 05, Kairiwari, Ps- Phulwaria, Distt-
Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr.Tapeshwar Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 17-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner, in the present case, is seeking pre-arrest bail in connection with Lakhisarai (Kabaiya) P.S. Case No.114 of 2023 registered for the offences punishable under Section 392 of the Indian Penal Code and later on Section 411 of the Indian Penal Code has also been added. The petitioner has got no criminal antecedent.

3. As per the prosecution story, some unknown miscreants have looted away Rs.3,20,159/- from the dicky of the motorcycle of the petitioner in cash.

4. Learned counsel for the petitioner submits that this petitioner happened to be the informant of this case and later on



it has been revealed from the confessional statement of the co-accused Avinash Kumar that the petitioner was himself involved in setting up a false case, however, nothing has been recovered from the possession of the petitioner or from his house and he has no concern with the key of the motorcycle which has been seized from the house of the co-accused Avinash Kumar. It is submitted that the petitioner has otherwise no criminal antecedent.

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

6. Having regard to the submission that this petitioner happened to be the informant of this case, later on it has been revealed from the confessional statement of the co-accused Avinash Kumar that the petitioner was himself involved in setting up a false case, however, it is the submission that nothing has been recovered from the possession of the petitioner or from his house and he has no concern with the key of the motorcycle which has been seized from the house of the co-accused Avinash Kumar, the petitioner has otherwise no criminal antecedent, in the circumstances, this Court directs that in case of his arrest/surrender within a period of six weeks from today, let the petitioner above-named be enlarged on bail on furnishing bail



bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Lakhisarai (Kabaiya) P.S. Case No. 114 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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