

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67492 of 2023

Arising Out of PS. Case No.-281 Year-2023 Thana- MANER District- Patna

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Dheeraj Kumar Son of Dharmanath Rai Resident of Village-Hulasi Tola, P.S.-
Maner, District-Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Manoranjan Kumar, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 08-11-2023 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 Maner P.S. Case No. 281 of 2023 registered for the offences punishable under Section 414 of the Indian Penal Code. He has got no criminal antecedent.

3. As per the prosecution story, the informant got secret information that this petitioner along with one other accused person is going towards Prem Tola for stealing another vehicles. The informant reached at the said place where he saw two persons on a motorcycle trying to flee. It is alleged that police apprehended Rahul Kumar who disclosed the name of the petitioner and also disclosed that the motorcycle which they were riding was stolen.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that the petitioner has been made an accused in the present case on the basis of statement of apprehended accused Rahul Kumar in police custody. No other incriminating material has come against this petitioner in course of investigation.

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

6. Having regard to the submission that the name of the petitioner has transpired in the statement of the apprehended accused in police custody but apart from that there is no other incriminating material against the petitioner, he has otherwise no criminal antecedent, in the circumstances, this Court directs that in case of his arrest or surrender within a period of six weeks from today, the petitioner above named be released on bail in connection with Maner P.S. Case No. 281 of 2023 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of Ms. Priya Kumari, learned J.M. 1st Class, Danapur, Patna 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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