

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66085 of 2023

Arising Out of PS. Case No.-362 Year-2023 Thana- SIWAN MUFFASIL District- Siwan

ANSHU KUMAR YADAV @ ANSHU KUMAR SON OF ASHOK
CHAUDHARI @ ASHOK YADAV VILLAGE
BARAHANI/BHATWALIYA, PS- SIWAN (MUFASIL), DIST- SIWAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shambhu Prasad Yadav, Advocate
For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 08-12-2023 Heard the parties.

2. The petitioner is apprehending arrest in connection with Siwan (Mufasil) P.S. Case No. 362 of 2023 instituted under Sections 413 and 414 of the Indian Penal Code, lodged on 24.06.2023 by the informant, Mukesh Kumar.

3. As per the prosecution story, the police raided the house of the Dilchand Kumar and recovered a stolen motorcycle. He confessed that it was provided to him by the accused persons including the petitioner. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that recovery is from Dilchand Kumar and only to implicate him he has made a confession and the police attached the petitioner's name only because of his criminal antecedent.



5. Learned APP opposes the prayer.

6. Taking into account the submissions put forward by the parties and also that recovery is from Dilchand Kumar and the FIR is lodged and he will ultimately be facing the trial, this Court is inclined to extend him privilege of anticipatory bail.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Siwan (Mufasil) P.S. Case No. 362 of 2023 to the satisfaction of learned Additional Chief Judicial Magistrate, 1st Siwan subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall co-operate in the investigation



and make himself available to the police as and when required;

(iv) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(v) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vi) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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