

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64953 of 2022

Arising Out of PS. Case No.-387 Year-2022 Thana- MAJHAULIA District- West Champaran

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ALOK KUMAR @ ALOK KUMAR YADAV Son of Kishori Yadav R/v- Lal Saraiya, P.S.- Majhulia, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP.

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 06-02-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in connection with Majhulia P. S. Case No. 387 of 2022 registered for the offences punishable under Sections 399, 400, 401, 402, 403, 411, 413, 414, 419, 420, 467, 468, 471, 472, 379, 120B of the Indian Penal Code and Sections 66 and 66 (C) of the Information Technology Act.

As per the prosecution case, the police, on a secret information, intercepted a Scorpio Vehicle bearing registration



No. BR-05Q-0077 and also apprehended two persons, namely, Prakash Kumar and Brij Kishore, while two other persons succeeded in fleeing away. On search, several passbooks, cheque books, ATM Cards of different banks, Laptop, Mobile Phones with SIMs and Aadhar Card were recovered from the said vehicle. It further alleged that three ATM Cards of different banks and one Mobile phone were also recovered from the pocket of co-accused Brij Kishore Kumar.

Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. In fact, no such occurrence as alleged has ever taken place. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has neither any concern with the alleged recovered articles nor with the apprehended co-accused persons. The petitioner was not present at the spot. Being owner of the aforesaid vehicle, the name of the petitioner has been dragged in the this case. Learned counsel further submits that no case is made out against the petitioner. The petitioner has one more criminal case as stated in para 3 of the bail petition.

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

Considering the aforesaid facts and circumstances, let



the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Court concerned, Bettiah, West Champaran in connection with Majhulia P. S. Case No. 387 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

Further condition is that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court below and shall remain physically present as directed by the Court below and in case of his absence on two consecutive dates without cogent reason, his bail bonds shall be cancelled by the Court below.

The application stands allowed.

(Chandra Prakash Singh, J)

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