

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70281 of 2023

Arising Out of PS. Case No.-152 Year-2023 Thana- BAIKUNTHPUR District- Gopalganj

Hariom Kumar @ Hari Om Kr Singh Son Of Ranjay Singh Resident Of
Village Bhdura Ps Mohammadpur District Gopalganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhramveer

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 02-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Baikunthpur P.S. Case No. 152/2023 registered for the offences punishable under Sections 413, 414 and 34 of the Indian Penal Code.

3. As per prosecution case, one person was apprehended with stolen motorcycle, who, upon interrogation, disclosed his name as Rahul Kumar and the name of the petitioner surfaced on the basis of disclosure made by the said co-accused. It is alleged that the petitioner is involved in stealing the motorcycle in question.

4. Learned counsel for the petitioner submits that except disclosure, there is nothing on record to demonstrate the



complicity of the present petitioner with the alleged occurrence. He further submits that the petitioner is quite innocent and has falsely been implicated in this case. The petitioner has committed no offence as alleged in the FIR and he has nothing to do with the said motorcycle. Petitioner bears no criminal antecedent. It is further submitted that in the light of the facts and circumstances of the case, no offence is made out under Sections 413, 414 and 34 of the IPC.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Gopalganj in connection with Baikunthpur P.S. Case No. 152/2023 , subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



7. This application stands allowed.

(Alok Kumar Pandey, J)

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