

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69933 of 2023

Arising Out of PS. Case No.-21 Year-2023 Thana- PANCHRUKHI District- Siwan

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SHAIENDRA KUMAR @ SHAIENDRA YADAV @ BHUWAR son of
Mundrika Yadav Village- Mahpur P.S.- Sarai Dist- Siwan,Bihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prashant Kumar

For the Opposite Party/s : Mr.Ram Sevak Choudhary

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 01-11-2023 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in
connection with Pachrukhi(Sarai) P.S. Case No. 21 of 2023 registered
for the offences punishable under Section 392 of the Indian Penal
Code.

3. As per prosecution case, informant's motorcycle was
said to have taken away by three unknown miscreants.

4. Learned counsel for the petitioner submits that
petitioner is not named in the FIR and his name has been surfaced in
the present case upon the confessional statement of co-accused
Anuraj Kumar @ Antu. Except confessional of co-accused Anuraj
Kumar, there is nothing on record to connect the present petitioner
with the alleged occurrence. He further submits that petitioner was
not present at the place of occurrence. Nothing has been recovered



from the possession of the petitioner. Learned counsel further submits that on similar allegation co-accused, Rohit Kumar, has already been granted bail vide Cr. Misc. No. 45988 of 2023 by a co-ordinate Bench of this Court and on the principle of parity petitioner deserves bail.

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, co-accused has already been granted bail by a co-ordinate Bench of this Court, 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 Judicial Magistrate-I, Siwan in connection with Pachrukhi(Sarai) P.S. Case No.21 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Alok Kumar Pandey, J)

vashudha/-

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