

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69472 of 2023

Arising Out of PS. Case No.-236 Year-2023 Thana- NARHATT District- Nawada

1. Akhilesh Kumar, Son of Wajir Rajbanshi, Resident of Village-Gopalpur, Police Station-Nemdarganj, District-Nawada.
2. Ajit Kumar, Son of Kailash Rajbanshi, Resident of Village- Gopalpur, Police Station- Nemdarganj, District-Nawada.
3. Vicky Kumar, Son of Ramswaroop Rajbanshi, Resident of Village-Gopalpur, Police Station - Nemdarganj, District-Nawada.
4. Ramdeo Rajbanshi @ Ramdeo Kumar, Son of Naresh Rajbanshi, Resident of Village - Gopalpur, Police Station - Nemdarganj, District-Nawada.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Rajeev Nayan, Advocate
For the Opposite Party : Mr. Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 18-12-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in connection with Narhat P.S. Case No. 236 of 2023 dated 26.05.2023 for the offences punishable under Sections 457 and 380 of the I.P.C.

4. As per the prosecution case, unknown thieves are



alleged to have committed theft of ornaments worth Rs. 1,62,000/- and cash of Rs. 15,000/- of the informant by entering his house.

5. Learned counsel for the petitioners has submitted that the petitioners are innocent and have been falsely implicated in this case. The petitioners are not named in the F.I.R. The names of the petitioners have sprung up in the present case on the basis of the confessional statement of the co-accused Pawan Kumar and Dipu Kumar recorded in Narhat P.S. Case No. 228 of 2023. Except for the confessional statement, there is no other substantive evidence to suggest the implication of the petitioners in the present case. Nothing incriminating article has been recovered from the possession of the petitioners. The petitioners have two clean antecedents in which they are on bail as stated in paragraph no. 3 of the bail application.

6. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) each with two sureties of the like



amount each to the satisfaction of learned J.M. Ist Class,
Nawada or his successor court, in connection with Narhat P.S.
Case No. 236 of 2023, subject to the condition as laid down
under Section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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