

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73307 of 2022

Arising Out of PS. Case No.-34 Year-2022 Thana- DARPA District- East Champaran

LAVKUSH KUMAR @ MANNU S/O RAMANAND CHAUDHARY
Resident of village- Bathuahiya, P.S.- Darpa, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Rita Verma

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-04-2023 Heard the learned counsel for the petitioner and the learned
A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Darpa P.S. Case No. 34 of 2022 registered for the offence punishable under Section 392, 412, 413, 414 of the Indian Penal Code and Sections 25(1-b)a, 26, 35 of the Arms Act.

The allegation is regarding two co-accused persons having intercepted the informant and on pistol point, they had snatched a sum of Rs. 38,500/- and the mobile phone of the informant, however, when they were trying to flee away, they were apprehended by the local people and handed over to the police. It is alleged that during the course of investigation, it has transpired that the petitioner is having complicity in the alleged



occurrence.

The learned counsel for the petitioner submits that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner has further submitted that neither the petitioner has been arrested from the spot nor any recovery of the snatched cash amount much less any arms has been made from him, hence, the petitioner is having no role to play in the alleged incident.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner, considering the materials available on record and taking into account the fact that neither the petitioner is named in the FIR nor he is stated to have been apprehended from the spot nor any recovery of the looted cash amount etc. has been made from the petitioner, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of



receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M., 1st Class, East Champaran, in connection with Darpa P.S.Case No. 34 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

Ajay/-

U		T	
---	--	---	--

