

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1805 of 2023

Arising Out of PS. Case No.-53 Year-2022 Thana- NARPATGANJ District- Araria

BIJENDRA KUMAR SAH @ BIJENDRA SAH SON OF SONELAL SAH
R/O VILLAGE- NATHPUR, P.S.- NARPATGANJ, DISTRICT- ARARIA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 17-05-2023 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 Narpatganj P.S. Case No. 53 of 2022 registered for the offence punishable under Section 392 of the Indian Penal Code.

The allegation is regarding unknown persons having intercepted the informant on the alleged date and time of occurrence, after he had withdrawn a sum of Rs. 4,50,000/- from the State Bank of India, Nathpur Branch and was proceeding to his house, whereafter the said miscreants had snatched a sum of Rs. 4,20,000/-, kept in the dicky of the motorcycle of the informant on pistol point and had then fled away.



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 the co-accused persons, especially one Ranjan Sah, who was arrested by the police, had disclosed the name of the petitioner, in his confessional statement, to be one of his accomplice, however, apart from the said material, there is no evidence to connect the petitioner with the alleged occurrence. It is also submitted that no recovery has been made from the house of the petitioner or for that matter, from the petitioner as far as the looted cash amount is concerned.

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, taking into account the materials available on record as also considering the fact that the name of the petitioner has transpired in the present case, upon the confessional statement made by the co-accused person, before the police, apart from the fact that the petitioner is having a clean antecedent, 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 Chief Judicial Magistrate, Araria, in connection with Narpatganj P.S.Case No. 53 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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