

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74587 of 2022

Arising Out of PS. Case No.-3 Year-2022 Thana- KALYANPUR District- East Champaran

Sobodh Rai @ Sobodh Kumar @ Aditya Raj @ Subodh Rai @ Subodh
Kumar Son Of Banaras Ray @ Banaras Prasad Yadav R/O Devpur Parsa,
Parsauni Bazit, P.S.- Kalyanpur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Uday Singh, Advocate
For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 02-05-2023 Heard Mr. Kumar Uday Singh, learned counsel
appearing on behalf of the petitioner and Mr. Ram Sumiran Rai,
learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Kalyanpur P.S. Case No. 03 of 2022 registered under
Section 394 of the Indian Penal Code.

3. The prosecution story, in brief, is that the accused
person tried to snatch the motorcycle of the informant, however,
one Abhay Singh was overpowered by the villager he has taken
to the custody by the police where the said co-accused taken
name of the present petitioner to be his accomplice.



4. Learned counsel appearing on behalf of the petitioner submits that due to rivalry the said co-accused has taken the name of the petitioner. Learned counsel further submits that petitioner was not present at the place of occurrence nor he has in any manner related to the co-accused Abhay Singh.

5. Learned APP appearing on behalf of the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the nature of allegation made against the petitioner, in course of investigation the co-accused, namely, Abhay Singh has disclosed the name of the petitioner rather petitioner is not related to the said co-accused, in view of the above matter the petitioner, prima facie, has made out a case to be released on anticipatory bail.

7. Court below is directed to release the petitioner on anticipatory bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of learned A.C.J.M.-III, East Champaran in connection with Kalyanpur P.S. Case No. 03 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.



8. The present bail application is disposed of.

(Purnendu Singh, J)

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