

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79568 of 2023

Arising Out of PS. Case No.-586 Year-2023 Thana- DARIYAPUR District- Saran

Manish Kumar Son Of Amir Singh Village- Malpur Ps- Khushrupur Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Nibash Prasad

For the Opposite Party/s : Ms. Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-12-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 379, 411 and 34 of the Indian Penal Code.

3. As per the prosecution case, around 3:15 A.M., 4-5 persons came on the three wheeler and after opening wheel and battery from the truck, they started loading on said three wheeler. On sound, the local shop keepers woke up and started raising alarm due to which the accused persons started fleeing away. On chase, three of them were apprehended.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not



specific rather general and omnibus in nature. He submits that there is no specific overt act against the petitioner. He further submits that the petitioner has been made accused in the present case only because he is the owner of the said three wheeler (tempo). Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Considering the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Dariyapur P.S. Case No. 586 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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