

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5541 of 2024

Arising Out of PS. Case No.-313 Year-2023 Thana- MASHRAK District- Saran

Shailesh Kumar @ Vyas S/O Birendra Rai Resident Of Village- Karn
Kudariya, P.S.- Mashrakh, District- Saran Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Avinash Kumar Pandey

For the Opposite Party/s : Mr.Raj Kishor Singh

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Mashrakh P.S. Case No. 313 of 2021 dated 13.06.2021,
instituted for the offence punishable under Sections 323, 324,
307 and 379/34 of the Indian Penal Code.

3. The prosecution case, in short, is that on the date of
occurrence while informant's son was sleeping, five masked
accused persons came and assaulted him with knife resulting
into several injuries and lastly, the petitioner is said to have
snatched his gold chain and cash.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is submitted that the present F.I.R. has been lodged



against three accused persons. From perusal of F.I.R., the only allegation against the petitioner is of snatching gold chain and cash of the informant's son. Other allegations against the petitioner is general and omnibus. It is further submitted that there is no allegation of assault against the petitioner. Lastly, it has been submitted that he has no criminal antecedent.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner in connection with Mashrakh P.S. Case No. 313 of 2021, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-VIIth, Saran at Chapra, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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