

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13387 of 2024

Arising Out of PS. Case No.-165 Year-2022 Thana- KUMAR KHAND District- Madhepura

Sagar Sunny @ Sunny Sagar @ Sagar Sanny Son of Sri Uday Kumar @ Uday
Yadav Resident of Village- Belo Kala/Belo, Ward No. 07, Police Station-
Murliganj, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar

For the Opposite Party/s : Mr. Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-03-2024 1. 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 offence punishable under Section 394 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that petitioner has antecedent of two cases. It is further submitted that petitioner came to be implicated in the present case during the course of investigation when F.I.R. was instituted against unknown. It is next submitted that the petitioner came to be implicated in Kumarkhand P.S. Case No.170/2022 based on confessional statement of the apprehended co-accused. It is next submitted that in the confessional statement of apprehended co-



accused in Kumarkhand P.S. Case No.170/2022, the petitioner was also implicated in the instant case. It is next submitted that the moment a person is implicated based on confession, the police starts implicating mechanically in all the cases which are registered against unknown. It is further submitted that in the instant case the informant alleges that he was looted at the point of knife and katta and the unknown accused also injured his hand and took away his money and mobile. It is further submitted that the petitioner will not abscond rather will co-operate in the investigation.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Kumarkhand P.S. Case No.165/2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.



6. Further, one of the bailors of the petitioner shall be his father namely Uday Kumar @ Uday Yadav.

7. It is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to his notice that the petitioner despite giving assurance to this court is not co-operating in the investigation in that event the learned trial court shall be at liberty to cancel the bail bond of the petitioner and to take all coercive steps to ensure that petitioner is behind bar.

(Satyavrat Verma, J)

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