

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20528 of 2024

Arising Out of PS. Case No.-217 Year-2022 Thana- KISHANPUR District- Supaul

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AKHILESH KUMAR SON OF UPENDRA YADAV @ UPEN YADAV R/O-
JHAKHARAHI, WARD NO. 14, P.S.-KISHANPUR, DISTT.-SUPAUL

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bipin Bihari Singh, Advocate.

For the Opposite Party/s : Mr.Abhay Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 02-04-2024 Heard Mr. Bipin Bihari Singh, learned counsel
appearing on behalf of the petitioner and Mr. Abhay Kumar,
learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Kishanpur P.S. Case No. 217 of 2022 registered for the
offence punishable under Sections 379 and 356 of the Indian
Penal Code.

3. As per the allegation made in the F.I.R. which is
against unknown, three accused persons snatched mobile and
motorcycle of the informant and thereafter fled away from the
place of occurrence.



4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is quite innocent and he has been falsely implicated in the case merely on suspicion. The petitioner is not named in the F.I.R. He further submits that on the disclosure made by the co-accused, the petitioner has been made accused in the present case. Petitioner has clean antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Considering the nature of allegation made in the F.I.R. and the fact that the petitioner has been made accused in the present case on the basis of the confessional statement of co-accused which has no evidentiary value in the eye of law, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the 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 CJM, Supaul in connection with Kishanpur P.S. Case No. 217 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner



is involved in some other cases as what has been stated in Para-
3 of the bail petition, this order will automatically lose its force.

(Purnendu Singh, J)

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