

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17887 of 2024

Arising Out of PS. Case No.-418 Year-2023 Thana- BAKHTIYARPUR District- Patna

Rahul Kumar, S/o Krishan Prasad @ Krishna Yadav @ Krishna Prasad,
Village- Madhopur Ps- Bakhtiyarpur Dist- patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mayashankar Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 18-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In this case, the petitioner is apprehending his arrest in connection with Bakhtiyarpur P.S. Case No. 418 of 2023, registered for the offences under Sections 379 and 411 of the Indian Penal Code.

3. As per prosecution case, police received informant about petitioner storing stolen diesel at certain identified place in a hut and a raid was conducted and recovery of 1530 litres of diesel along with other articles were made.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. No occurrence as alleged has ever taken place and the petitioner has been made accused with *malafide* intention. The



place from where the recovery has been shown does not belong to this petitioner and petitioner has no concern with the said hut. Petitioner works as business correspondent with India Post Payment Bank and due to enmity his name has been dragged in this case. Petitioner is having clean antecedent.

5. Learned APP opposes the prayer for anticipatory bail.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the remoteness of allegation without any substantive material against the petitioner and also considering the clean antecedent of the petitioner coupled with possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Barh/court concerned in connection with Bakhtiyarpur P.S. Case No. 418 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

(i) One of the bailors will be a close relative of the



petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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