

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28132 of 2024

Arising Out of PS. Case No.-25 Year-2021 Thana- DHIBRA District- Aurangabad

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1. TWINKALE KUMAR @ TWINKAL KUMAR @ TINKAL KUMAR S/O MAHENDRA SINGH R/O VILLAGE- MALHARA, P.S- DEO, DISTT.- AURANGABAD (BIHAR).
 2. VIVEK KUMAR S/O RAMANUJ SINGH R/O VILLAGE- MALHARA, P.S- DEO, DISTT.- AURANGABAD (BIHAR).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Birendra Singh, Advocate
For the State	:	Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 24-06-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 379, 356 and 34 of the Indian Penal Code.

3. As per prosecution case, on the alleged date and time of occurrence, while the informant and his son were returning to home on a bicycle and reached at Bedna Nahar, these two petitioners came there riding on a motorcycle and snatched the mobile phone from the hand of the informant and thereafter fled away.

4. It is submitted by learned counsel appearing on behalf of the petitioners that the petitioners have been falsely implicated in this case due to village politics. It is next



submitted that as per F.I.R., the alleged incidence took place on 09.09.2021 whereas the instant case has been lodged on 13.09.2021, after a delay of more than four days, without any explanation for the same. It is further submitted that there is no allegation of overt act against these petitioners.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the aforesaid facts and circumstances and nature of accusation, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Aurangabad (Bihar), in connection with Dhibra P.S. Case No.25 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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