

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28969 of 2024

Arising Out of PS. Case No.-233 Year-2019 Thana- JANDAHA District- Vaishali

Anil Kumar Son Of Balmiki Paswan Resident Of Village- Rajauri Ward No.
08, Ps- Muffasil, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Kumar, Adv

For the Opposite Party/s : Mr. Pushpa Sinha.1, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 26-07-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Jandaha P.S Case No. 233 of 2019 dated 23.09.2019 registered for the offence punishable u/s 395, 412 of the I.P.C.

3. As per the prosecution case, on 22/23.09.2019 at about 3.00 A.M., the informant's pick-up vehicle was overtook by 4-5 miscreants riding on a Bolero vehicle and they were armed. The miscreants after stopping the informant's pick-up vehicle assaulted him after taking him off the vehicle and threatened to fire on him. The informant was forcefully made to sit in their Bolero vehicle and his pick-up vehicle was taken by



them to Samastipur and after some distance, the informant was thrown on the road from the Bolero vehicle. The informant's mobile, purse and the photocopy of the driving license etc., were also taken by them.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the present case, during the course of investigation, merely on the basis of the confessional statement of the co-accused Ravi Kumar and Chhotu which got no evidentiary value in the eye of law. There is general and omnibus allegation against the petitioner. Similarly situated co-accused has already been granted bail by the co-ordinate bench of this court *vide* order dated 13.05.2024 passed in Cr. Misc. No. 34220 of 2024. The petitioner has four criminal antecedents as stated in para 3 of the bail petition.

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

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs.



20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Vaishali, in connection with Jandaha P.S Case No. 233 of 2019, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure, with a condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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