

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31156 of 2024

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

Saurabh Kumar S/o Sikandra Yadav @ Sikendra Yadav @ Sikandar Kumar @
Sikandar Kumar Yadav R/o vill - Rahta, P.S. - Kumar Khand, Distt. -
Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad, Adv

Mr. Manoj Kumar, Adv

Ms. Pooja Prasad, Adv

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-07-2024 1. Heard learned counsel for the petitioners and
learned A.P.P. for the State and the learned counsel appearing on
behalf of the informant.

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 one case. 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 Kumar Khand 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 Kumar Khand 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 next 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 asserted and 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 trial Court 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 Kumar Khand



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 Sikandra Yadav @ Sikendra Yadav @ Sikandar Kumar @ Sikandar Kumar 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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