

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40153 of 2024

Arising Out of PS. Case No.-356 Year-2023 Thana- LALIT NARAYAN UNIVERSITY
District- Darbhanga

=====

Shiv Shankar Paswan @ Shiv Shankar Kumar Paswan S/O Kamal Paswan @
Kamlu Paswan @ Lakara Village- Chuna Bhatti, Laxmi Sagar, Kabirchak,
P.S.- L.N.M.U. , Dist-Darbhangha

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Prabhat Ranjan Singh, Adv.

For the Opposite Party/s : Mr.Mohammad Sufyan, APP

=====

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 25-06-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with L.N.M.U. P.S. Case No. 356 of 2023 registered for the
offences punishable under Sections 392 of 34 of the Indian
Penal Code.

3. As per prosecution case, the accused persons
forcibly took away the Scooty of the Informant bearing Regd.
No. BR-07AY-5855 and snatched Rs. 10,000/- cash from him
and also called his father and demanded Rs. 10,000/- from him.
It is further alleged that when they got the said amount, they
snatched mobile from the Informant and left him.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner is not named in the F.I.R. and his name has surfaced in this case during investigation on the confessional statement of co-accused Raushan Kumar Sharma. The Scooty in question has been recovered from the house of the co-accused Raushan Kumar Sharma. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present application. The petitioner has no concern with the alleged occurrence.

5. Learned counsel for the petitioner further submits that the co-accused Raushan Kumar Sharma has been granted regular bail by this Court vide order dated 04.04.2024 passed in Cr. Misc. No. 25017 of 2024.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner submitting that the alleged Scooty has been recovered from the house of the co-accused Raushan Kumar Sharma who has confessed that he along with his companions Shiv Shankar Paswan (petitioner) and Deepak Kumar has committed the occurrence.

7. Considering the entire facts and circumstances of



the case and taking into account the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with L.N.M.U. P.S. Case No. 356 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Rudra Prakash Mishra, J)

rishi/-

U		T	
---	--	---	--

