

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40064 of 2024

Arising Out of PS. Case No.-785 Year-2022 Thana- DARBHANGA SADAR District-
Darbhanga

Upendra Singh S/o Late Laxmi Singh R/o Hajipur, Kaushara Road, Near
Power House, Ander Kila, P.S. Hajipur, Distt-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur, Advocate.

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 18-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Sadar (Mabbi O.P.) P.S. Case No.785 of 2022 instituted
under Section 392 of the Indian Penal Code.

3. As per the prosecution case, when the son of
informant alongwith one other boy was going to coaching in the
meantime four accused persons on two motorcycles surrounded
them and snatched their mobile phones, one watch and cash of
Rs.5,600/-.

4. Learned counsel for the petitioner submits that the
petitioner who is aged about 70 years has been falsely implicated
in this case due to the reason that he is owner of the seized
motorcycle. He further submits that the alleged recovery of
motorcycle was made from the house of one Murari Poddar to
whom the petitioner had mortgaged his motorcycle for



Rs.50,000/- as a security. Learned counsel submits that there is no incriminating material recovered from the possession of petitioner. He further submits that the petitioner is not named accused in this case and F.I.R. has been lodged after delay of about 12 days without any plausible explanation. He also submits that petitioner has no criminal antecedent and he undertakes to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga in connection with Sadar (Mabbi O.P.) P.S. Case No.785 of 2022, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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