

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41297 of 2024

Arising Out of PS. Case No.-298 Year-2023 Thana- PARAIYA District- Gaya

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GOLU KUMAR @ RAVI SHANKAR KUMAR @ RAVISHANKAR
KUMAR SON OF RAMBALI YADAV RESIDENT OF VILLAGE -
BAIKATHPUR, POLICE STATION - PARAIYA, DISTRICT - GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Aryan Singh

For the Opposite Party/s : Mr.Shyam Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 16-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Paraiya P.S. Case No. 298 of 2023 registered for the offences punishable under Section 392 of I.P.C.

3. As per prosecution case, informant and his brother-in-law were assaulted by three unknown persons who came on a motorcycle. It is alleged that miscreants snatched key of Scorpio, mobile and cash etc. from informant and his brother-in-law and took away the said car from the place of occurrence. Hence, F.I.R. was lodged against three unknown persons.

4. Learned counsel for the petitioner submits that petitioner is not named in F.I.R. and his name has been



transpired in this case upon the confessional statement of co-accused Photu Kumar @ Neeraj Kumar. Except confessional statement of co-accused, there is nothing on record to demonstrate the complicity of the petitioner with the alleged occurrence. Petitioner is quite innocent and has committed no offence as alleged against him in F.I.R. and he has falsely been implicated in the present case. He further submits that vehicle in question has already been recovered by the police. No incriminating article has been recovered either from petitioner's house or place related to his house. Petitioner is not in any connected with the alleged occurrence. Petitioner bears no criminal antecedent.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of the petitioner, co-accused have already been granted anticipatory bail, argument advanced on behalf of both sides and also taking into consideration the material available on record, 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 bond of Rs.



10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 3rd, Gaya in connection with Paraiya P.S. Case No. 298 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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