

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43600 of 2024

Arising Out of PS. Case No.-75 Year-2024 Thana- BRAHMPUR District- Buxar

VISHAL KUMAR SINGH @ VIRU @ VIRU KUMAR @ DEVA @
VISHAL SON BHUNWAR KAMKAR @ RAGHVANSH SINGH
VILLAGE- NIMAEJ, P.S.- BRAHAMPUR, DISTT.- BUXAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mohit Shriwastava, Adv.

For the Opposite Party/s : Mr.Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 20-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending arrest in connection with Brahampur P.S. Case No. 75 of 2024/ GR No. 443 of 2024 registered for the offences punishable under Section 379 of the Indian Penal Code.

3. As per prosecution case, informant's vehicle was not found at the place where he had parked. It is stated by the people that petitioner and others were taking away the said vehicle.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the first information report. The occurrence took place on



09.02.2024 and the first information report is said to have been lodged on 14.02.2024 and there is no explanation for the inordinate delay. The name of this petitioner has surfaced in this case on the disclosure of the co-accused who is said to have been apprehended. Petitioner is not in any way connected with the alleged occurrence. From perusal of the first information report, it is found that nothing has been mentioned as to who has disclosed that the bike in question was being taken away by the petitioner. Hence, the authenticity of the F.I.R. is doubtful. Petitioner bears clean antecedent.

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

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, 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 arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Buxar in connection with Brahampur P.S. Case No. 75 of 2024/ GR No. 443 of 2024,



subject to the conditions as laid down under section 438(2) of
the Code of Criminal Procedure.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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