

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46960 of 2024

Arising Out of PS. Case No.-26 Year-2022 Thana- CHIRAIYA District- East Champaran

Amresh Kumar Son of Ramadhar Rai @ Ramadhar Prasad Yadav Resident of
Vill- Bela Ghat, P.O.- Sagar Dina, Haraj, Nurullahpur, P.S.- Shikarganj,
District- East Champaran, Bihar- 845418

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mohd Rustam Hussain

For the Opposite Party/s : Mr.Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 24-07-2024 Learned counsel for the petitioner is permitted to
make necessary correction in para nos. 1, 3 and prayer
portion.

2. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

3. The petitioner is apprehending his arrest in
connection with Chiraiya P.S. Case No. 26 of 2022
registered for the offences punishable under Sections 413
and 414 of the Indian Penal Code.

4. As per prosecution case, co-accused Praveen
Kumar was apprehended with two motorcycles in question
and other co-accused managed to escape away from the



place of occurrence. It is alleged that apprehended co-accused, Praveen Kumar, disclosed the name of petitioner and other who fled away from the place of occurrence.

5. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR. Petitioner bears criminal antecedent of one case in which he is on bail. Learned counsel further submits that except disclosure of co-accused, Praveen Kumar, there is nothing on record to demonstrate the complicity of petitioner with the alleged occurrence. Petitioner has been falsely made accused in the present just because petitioner has inimical term with the co-accused, Praveen Kumar. Nothing has been recovered from the conscious possession of the petitioner.

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

7. Considering the facts and circumstances of the case, 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 Judicial Magistrate 1st Class, Sikrahna, Sub-Division at Dhaka, East Champaran in connection with Chiraiya P.S. Case No. 26 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Alok Kumar Pandey, J)

vashudha/-

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