

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51019 of 2024

Arising Out of PS. Case No.-356 Year-2022 Thana- AMAS District- Gaya

Rakesh Kumar Son of Mahendra Paswan, R/o Vill.- Afzalpur, P.s.- Sherghati,
Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate.

For the Opposite Party/s : Mr. Aditya Narayan Singh No.1, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 21-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Amas P.S. Case No.356 of 2022 instituted under Section 394 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, three unknown accused persons came on the motorcycle and stopped the informant by force thereafter took away gold, jewellery and cash from him and one co-accused also fired upon him causing injury on his left leg thigh.

4. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case having no criminal antecedent, however, he has been implicated in this case on the basis of confessional statement of co-accused person who has been arrested. He further submits that one accused has been arrested who has named the other four co-



accused persons also including the petitioner. Learned counsel submits that petitioner has no concern with the pulsar motorcycle and he was not present on the spot. He further submits that nothing incriminating article has been recovered from the conscious possession of petitioner and except the confessional statement of co-accused, there is no material against the petitioner. He also submits that petitioner is ready to cooperate in the investigation.

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 Judicial Magistrate 1st Class, Sherghati, Gaya in connection with Amas P.S. Case No.356 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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