

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51706 of 2024

Arising Out of PS. Case No.-291 Year-2022 Thana- RAGHOPUR District- Vaishali

Tinku Kumar Son of Mukesh Kumar Singh Resident of village - Raghapur
Purbi, P.S.- Juravanpur, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar Singh

For the Opposite Party/s : Mr.Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

4 20-11-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Raghapur P.S. Case No. 291 of 2022 registered for the offences punishable under Section 394 of the Indian Penal Code.

3. As per prosecution case, informant, being an employee of FBL Fincerv Limited, Fatuha Branch, was returning home in the evening. In the meanwhile, two unknown persons came on splendor motorcycle and assaulted the informant upon his head by means of iron rod and took away informant's bag and Tab.

4. Learned counsel for the petitioner submits that petitioner is not named in FIR. The name of the petitioner has



been surfaced in this case upon the confessional statement of co-accused Abhi Kumar on 25.10.2022, though, the occurrence took place on 23.09.2022. He further submits that due to village politics co-accused Abhi Kumar has previously named the said petitioner in two cases i.e. Raghapur P.S. Case No. 304/2022 and Raghapur P.S. Case No. 225/2022. Except the confessional statement of co-accused, there is nothing on record to demonstrate the complicity of the present petitioner with the alleged occurrence. Petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. No incriminating article has been recovered from the house of the petitioner. Petitioner bears criminal antecedent of two cases in which he is on bail.

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, 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 Chief Judicial Magistrate, Vaishalki at Hajipur in connection with Raghopur P.S. Case No. 291 of 2022, 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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