

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58702 of 2024

Arising Out of PS. Case No.-59 Year-2024 Thana- AHIYAPUR District- Muzaffarpur

Ayush Raj S/o Bhaiaw Tripathi R/o Mohalla Chandani Chowk Rahul Nagar,
Police Station Brahampura District Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate

For the Opposite Party/s : Ms. Renu Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 09-08-2024 Heard learned counsel for the petitioner and Ms. Renu Kumari, learned APP for the State.

2. The petitioner is apprehending his arrest in Ahiyapur P.S. case No. 59/24 registered under Sections 392 and 411 of the Indian Penal Code.

3. The prosecution allegation, in short, is that three unknown miscreants snatched scooty, mobile and a bag containing three ATM cards, PAN card, an R.C. of other motorcycle, driving licence and cash amounting to Rs. 17,500 from the informant on the point of pistol and fled away.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner has got one criminal antecedent in



which he is on bail. No incriminating material has been recovered from the conscious possession of the petitioner. The name of the petitioner has transpired on the basis of confessional statement of co-accused, namely Rahul Kumar which has no evidentiary value in the eye of law. There is no compliance of Section 100 of Cr.P.C.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Court below/concerned Court in connection with Ahiyapur P.S. case No. 59/24, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

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