

Arising Out of PS. Case No.-134 Year-2024 Thana- KOILWAR District- Bhojpur

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- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Ms.Pronoti Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 04-09-2024 1. Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 341, 342, 323, 386, 387, 504, 506 and 34 of the Indian Penal Code.

3. The learned counsel for the petitioners submits that the petitioner no.1 has antecedent of four cases, petitioner nos.2 and 3 have antecedent of one case and the informant alleges that agents of Tata Motor Finance namely Chandralok Kumar and Ankush Kumar intercepted the vehicle as detailed in the FIR on



the ground that the loan of the vehicle was not paid and seized the same. Thereafter, the accused persons including the petitioners came and took the vehicle along with the agents to Kulharia Tola and demanded ransom of Rs.10,000/- and assaulted the agents. Accordingly, the agents called the informant and at the same time, raised an alarm, on which accused fled but Deepak and Praduman kept the vehicle.

4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is further submitted that the allegation as alleged in the FIR does not inspire confidence also. It is next submitted that it does not appear probable that had the accused persons including the petitioners forcefully brought the agents of the company to Kulharia Tola would have left them so easily on mere raising of alarm without taking the ransom as alleged in the FIR. It is next submitted that since Chandralok and Ankush were forcefully trying to take the vehicle of an acquaintance as such, the petitioners objected, but then, they came to be implicated in the instant case with false allegation that the vehicle has been kept by Deepak and Praduman.

5. Learned A.P.P. opposes the anticipatory bail application and submits that petitioner no.1 has antecedent of



four cases and in the event, if the privilege of anticipatory bail is granted to the petitioners, they may abscond or tampered with the evidence, on which the learned counsel appearing on behalf of the petitioners submits that petitioners will not abscond rather will cooperate in the investigation and will present themselves as and when required by the Investigating Officer to prove their innocence and the fact that vehicle is not with the accused persons..

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bhojpur at Ara in connection with Koilwar P. S. Case No.134 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C. with a condition that one of the bailors of the petitioner no.1 shall be his father, namely, Surendra Yadav.

7. The application stands allowed.

8. However, it is made clear that in the event, if any application is filed by the Investigating Officer before the



learned trial Court bringing to its notice that petitioners, despite giving assurance to this Court, are not cooperating in the investigation or are not presenting themselves as and when required, the learned trial Court shall be at liberty to cancel the bail bonds of the petitioners after recording reasons.

9. It is further made clear that if the vehicle is recovered from the possession of the accused persons- petitioners and charge-sheet is submitted, in the event, the present anticipatory bail order shall loose its effect.

10. Let a copy of this order be sent to the concerned Police Station through the learned trial Court.

(Satyavrat Verma, J)

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