

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55762 of 2024

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

Prem Kumar, Son of Santosh Yadav Village- Sakaddi, P.S.- Koilwar, District-
Bhojpur

... .. 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 petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
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 petitioner submits that
the petitioner has antecedent of two cases 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 petitioner 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 petitioner submits that petitioner has 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 petitioner 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 petitioner objected, but then, he 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 has antecedent of two cases and in the event, if the privilege of anticipatory bail is granted to the petitioner, he may abscond or tampered with the evidence, on which the learned counsel appearing on behalf of the petitioner submits that petitioner will not abscond rather will



cooperate in the investigation and will present himself 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 petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand) 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.

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 petitioner, despite giving assurance to this Court, is not cooperating in the investigation or are not presenting himself as and when required, the learned trial Court shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.

9. It is further made clear that if the vehicle is



recovered from the possession of the accused persons 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)

vikash/-

U		T	
---	--	---	--

