

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55963 of 2024

Arising Out of PS. Case No.-106 Year-2024 Thana- SAUR BAZAR District- Saharsa

1. Mritunjay Kumar @ Karan Kumar S/O Tufani Yadav R/O Village- Rampur, Ward No. 17, P.S- Sour Bazar, Distt.- Saharsa.
2. Dheeraj Kumar S/O Bhupendra Yadav R/O Village- Rampur, Ward No. 17, P.S- Sour Bazar, Distt.- Saharsa.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 04-09-2024 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Sour Bazar P.S. Case No. 106 of 2024 for the offence under Sections 399, 402, of the I.P.C. lodged on 05.02.2024 by the informant, Munshi Mushafir Yadav.

3. As per the prosecution story, the informant alleged that upon information, that the accused persons are intercepting vehicle and committing crime, when police reached there the accused persons tried to escape. Though four managed to escape and one was apprehended, he was Karanveer Kumar who gave the names of the accused persons which included the two petitioners upon search, one motorcycle and Rs. 500/- were



recovered. Accordingly the F.I.R.

4. Learned counsel for the petitioner submits that the name has come in the confessional statement before the police, even the arrested person was not having any weapon, both of them do not have criminal antecedent and will diligently appear in trial if granted relief.

5. Learned APP opposes the prayer submitting that as per the F.I.R. they were intercepting the vehicle and committing the crime and further the arrested person has disclosed that they have snatched Rs.2,500/- from a truck driver.

6. Though allegation is there, the fact remains that both these petitioners do not have criminal antecedent, name has come in the confessional statement, this Court is inclined to extend them the privilege of anticipatory bail.

7. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned A.C.J.M.-II, Saharsa in connection with Sour Bazar P.S. Case No. 106 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-



(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every month for next one year to mark his attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Ankit Kumar/-

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