

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62413 of 2023

Arising Out of PS. Case No.-421 Year-2022 Thana- DARIYAPUR District- Saran

Prince Kumar Son Of Manoj Ray Resident Of Village- Ramgadha, Ps-
Garkha, Dist- Saran At Chapara

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr.Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 31-01-2024 Heard Mr.Ajit Kumar Singh, learned counsel for the

petitioner and Mr.Md. Ataur Rahman, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Dariyapur P.S.Case No.421 of 2022,FIR dated 20.07.2022 registered for the offences punishable under Section 392 of IPC.

3. The FIR of the occurrence of loot is against unknown.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. In fact the petitioner is not named in the FIR. The name of the petitioner has been transpired on the basis of the confessional statement of co-accused person, namely,



Nitish Kumar. Further submits that except the aforesaid, no other cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-XIII, Saran at Chapra in connection with Dariyapur P.S.Case No.421 of 2022,subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.



(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his/her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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