

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64083 of 2024

Arising Out of PS. Case No.-425 Year-2021 Thana- ATRI District- Gaya

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Pankaj Kumar @ Luchi Kumar Son of Sadhu Prasad @ Sadhu Yadav @
Sadhu Prasad Yadav Resident of Village- Ghanadih, P.S.- Atri, Distt.- Gaya
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nand Kishor Patel, Adv.

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 379, 411 of the Indian Penal Code.

3. The prosecution case, in brief, is that on 08.12.2021 at about 02:30 AM, six miscreants including the petitioner entered the house of the informant and tried to commit theft of his buffaloes and Tulu motor. It is further alleged that when the informant woke up and raised an alarm of *Chor-Chor*, then he was assaulted on his head by the thieves by means of *lathi* due to which he sustained head injury.

4. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no offence. No such occurrence as alleged has ever taken place.



Nothing has been recovered from his conscious possession. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. There is no specific overt act against the petitioner. It is further submitted that the charge sheet has been submitted against other co-accused persons. He further submits that petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Atri P.S. Case No. 425 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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