

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78239 of 2023

Arising Out of PS. Case No.-64 Year-2023 Thana- DIDARGANJ District- Patna

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RANDHIR KUMAR SON OF SRI MISHRI RAI @ MISHRI SINGH
RESIDENT OF VILLAGE- RAYBAGH, KACHI DARGAH, PO- KACHHI
DARGAH, PS- DIDARGANJ, DIST- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 12-01-2024 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Didarganj P.S. Case No. 64 of 2023 for the offence under sections 356 and 379 of the I.P.C. lodged on 17.02.2023 by the informant, Shashi Kumar.

3. As per the prosecution story, the informant alleged that while moving on four lane (Patna Bakhtiarpur road) he was chased by two boys on a motorcycle who snatched his mobile and flew away. The informant has read the number of the motorcycle as BR01FTXX17. Accordingly, the FIR was lodged.

4. Learned counsel for the petitioner submits that he do own the aforesaid motorcycle which has been purchased by him. However, at no point of time the same was given and/or used by any of the criminals and certainly using his number the alleged snatching has been made for which an FIR has been lodged against him. Lastly, it is submitted that he is a businessman and does not have any criminal antecedent and the



petitioner is ready to produce the motorcycle as and when required by the police during the course of investigation.

5. Learned APP opposes the prayer stating that the vehicle number which has come in the FIR belongs to this petitioner.

6. It is for the police to ascertain whether actually the present motorcycle was used or not and/or the number plate was used by the criminals to commit the criminal act.

7. Taking into account the fact as per the petition that he is a businessman, ready to produce the motorcycle before the police as and when required and he do not have criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

8. Let the petitioner 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 J.M. First Class, Patna City, Patna, in connection with Didarganj P.S. Case No. 64 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show



his/her bona fide;

(ii) the petitioner 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 petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner 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 petitioner 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.

9. With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

Adnan/-

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