

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80522 of 2023**

Arising Out of PS. Case No.-404 Year-2023 Thana- KAUWAKOL District- Nawada

Brajesh Kumar Son Of Shyam Bihari Yadav Resident Of Village - Bajitpur,
P.S.- Kawakole, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 29-01-2024 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in connection with Kawakole P.S. Case No. 404/2023 dated 05.07.2023 registered for the offence punishable u/s 392 of the Indian Penal Code.

4. As per the prosecution case, one unknown miscreant intercepted the informant's motorcycle and started assaulting him with fist and slaps. In the meantime, three unknown miscreants came there and pushed him and snatched Rs. 8500/- and one mobile phone and they also assaulted him and snatched his motorcycle.



5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the confessional statement of the co-accused, Sanjay Kumar. Learned counsel has further submitted that the recovery is made from the possession of the co-accused, Sanjay Kumar.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as nature of allegation against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Nawada in connection with Kawakole P.S. Case No. 404/2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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