

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78867 of 2023**

Arising Out of PS. Case No.-816 Year-2022 Thana- ARARIA District- Araria

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Nasir @ Nasir Reza S/O Murshid @ Murshid Alam R/O Village- Rampur
Mohanpur, P.S- Araria (BAIRGACHHI), Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Advocate
		Mr. Jyoti Ranjan Jha, Advocate
		Mrs. Diksha Kumari, Advocate
For the Opposite Party/s	:	Mr.Shailendra Kumar Singh, APP

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

ORAL ORDER

2 22-01-2024 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 Araria P.S. Case No. 816 of 2022 dated 22.09.2022 registered for the offence punishable u/s 395 and 397 of the Indian Penal Code.

4. As per the prosecution case, when the informant was going to Kaliyaganj, one white Scorpio and two people boarded on a motorcycle intercepted the tractor of the informant and started assaulting him and snatched Rs. 2,000/- and a mobile phone from his pocket. Thereafter, one of the miscreants



took away his tractor and other accused persons put him in the Scorpio and left him in the forest of Belay Pothia.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The petitioner is accused in one more criminal case 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, Hashim.

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, 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, Araria in connection with Araria P.S. Case No. 816 of 2022, 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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