

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83931 of 2023

Arising Out of PS. Case No.-115 Year-2023 Thana- RANIYATALAB District- Patna

1. Niraj Kumar Son Of Rambhawan Prasad Resident Of Mahinawan, Police Station - Maner, District - Patna
2. Suman Kumar Son Of Raju Sao Resident Of Mahinawan, Police Station - Maner, District - Patna
3. Kamlesh Sao @ Panchu Sao Son Of Keshav Sao Resident Of Sampatchak Bazar, Police Station - Gopalpur, District - Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar

For the Opposite Party/s : Mr. Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-01-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 380, 381, 457, 120B and 34 of the Indian Penal Code.

3. As per the F.I.R., when the clerk was sleeping in Challan room, in the meantime, three persons came and took away total consideration amount of sale i.e. Rs. 7,80,000/-.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not



specific rather general and omnibus in nature. He submits that there is no specific overt act against the petitioners. He further submits that petitioners no. 2 and 3 are not named in the F.I.R., but their names came in the confessional statement of co-accused, Amit Kumar. Petitioner no. 1 has one criminal antecedent and petitioners no. 2 and 3 have no criminal antecedent as mentioned in para-3 of this application.

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

6. Having regard to the facts and circumstances of the case and the fact that the petitioners no. 2 and 3 has no criminal antecedent, let the above named petitioners no.2 and 3, be released on bail, in the event of their 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) each 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 Rani Talab P.S. Case No. 115 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. Considering the facts and circumstances of case and the fact that the petitioner no. 1 has one criminal antecedent,



I am not inclined to enlarge petitioner no.1 on anticipatory bail.
The prayer for anticipatory bail of the petitioner no. 1 is hereby
rejected.

8. Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

anand/-

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