

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82557 of 2024

Arising Out of PS. Case No.-146 Year-2021 Thana- NAGAR District- Vaishali

Vivek Kumar S/O Sunil Rai Resident Of Village Chiknauta, P.S- Hajipur
Town, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shivjee Singh, Advocate
		Mr. Mukesh Kumar, Advocate
For the Opposite Party/s	:	Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 02-12-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Hajipur Town P.S. Case no. 146 of 2021, registered under section 394 of Indian Penal Code.

3. As per the prosecution case, the informant a delivery boy for a Pizza Company, was robbed of his mobile phone and assaulted by two accused persons.

4. Learned counsel for the petitioner submits that the FIR was registered against unknown. The petitioner was falsely implicated in the case in course of investigation. Referring to the order of the learned trial Court, it is submitted that co-accused Shailesh Kumar who was apprehended, in paragraph



no. 55 of the case diary, admitted his complicity along with that of this petitioner. Learned counsel submits that the said Shailesh Kumar has himself been enlarged on regular bail vide order dated 8.2.2022 passed in Cr. Misc. no. 47141 of 2021. The informant has refused to participate in the TI parade. The petitioner has no criminal antecedent.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation in the F.I.R, the name of the petitioner transpiring in the statement of co-accused Shailesh Kumar made before police, the said Shailesh Kumar himself having been enlarged on bail vide aforesaid order dated 8.2.2022, no incriminating article having been recovered from the petitioner's possession, the informant having refused to participate in the TI parade and the petitioner not having any criminal antecedent, it is directed that the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Hajipur Town P.S. Case no. 146 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of the learned Chief Judicial Magistrate, Vaishali at
Hajipur.

(Partha Sarthy, J)

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