

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86367 of 2023

Arising Out of PS. Case No.-70 Year-2021 Thana- KHIJARSARAI District- Gaya

Santan Kumar @ Satyam Kumar, Son of Rajendra Rajak, R/o vill - Walipur,
P.S. - Hulasganj, Distt. - Jehanabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr. Mrigendra Kumar, Advocate Ms. Kusum Kumari, Advocate
For the Opposite Party/s :	Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 24-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Khizersarai (Sarbahda O.P.) P.S. Case No. 70 of 2021 registered for the offences punishable under Section 392 of the Indian Penal Code. He has got one criminal antecedent in which he is said to be on bail.

3. As per the prosecution story, on 16.03.2021 at about 06:00 P.M., the informant, who is the Manager of Sarbahda Indane Gramin Distributor Gas Agency, after accounting, was returning to home on his motorcycle, on the way, he saw three persons standing at Simrauka More and one of them threw brick at him which hit his hand and he fell down. It is alleged that they snatched his bag having laptop and



Rs.35,000/-. Thereafter, all the three accused persons fled away.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner is not named in the FIR. It is also submitted that there is no identification of the petitioner in the alleged occurrence.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the facts and circumstances of the case wherein this petitioner is not named in the FIR and in course of investigation of the case only his name has transpired but it is the submission of learned counsel for the petitioner that there is no identification of the petitioner in the alleged occurrence, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above named be released on bail in connection with Khizersarai (Sarbahda O.P.) P.S. Case No. 70 of 2021 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IV, Gaya, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that within two weeks from



today, the petitioner shall appear before the Investigating Officer of the case and shall cooperate with the investigation.

8. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

9. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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