

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56224 of 2024

Arising Out of PS. Case No.-22 Year-2018 Thana- RUPASPUR District- Patna

Mukesh Kumar Son of Shiva Singh @ Shivashray Singh R/O Vill.- Rupas Mahaji, P.o.- Gyaspur, Mahaji, P.s.- Salimpur, Dist.- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivanand Singh, Adv.
For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

3 21-02-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in a case instituted for the offence punishable under Sections 353, 307, 427/34 of the Indian Penal Code and Section 25(1-b)a, 26(ii), 27, 35 of Arms Act.

3. As per prosecution case, the allegation against the petitioner is that the confiscated Hyundai Car bearing no BR01DP-6642 is belongs to the petitioner which was used for committing dacoity as stated in the FIR.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has



committed no offence. Neither the petitioner is named in the F.I.R. nor he was apprehended on the spot. Nothing incriminating has been recovered from his conscious possession rather he is a bona fide owner of the car which was recovered from the possession of arrested person. The name of petitioner transpired in the case after a period of six years. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

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

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on anticipatory bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Rupaspur P.S. Case no. 22 of 2018, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate I, Danapur, Patna, subject to the conditions as laid down



under section 438(2) of the Cr.P.C.

7. In the course of trial, he will not sell or transfer the concerned vehicle, and for the same an undertaking must be given by the petitioner before the trial court.

(S. B. Pd. Singh, J)

Prabhakar/-

U		T	
---	--	---	--

