

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82196 of 2024

Arising Out of PS. Case No.-25 Year-2024 Thana- JAIPUR District- Banka

Aopis Kumar Son of Naresh Ray Resident of Village- Dhurgujwadih, P.S.-
Banka, Distt.- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate
For the Opposite Party/s : Mr. Umeshanand Pandit, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 10-01-2025 Heard learned counsel for the petitioner, learned APP
for the State and perused the case diary.

2. The petitioner apprehends arrest in connection with
Jaipur P.S. Case No. 25 of 2024, registered under Section 392 of
the Indian Penal Code.

3. The prosecution case, in short, is that, the informant
was accosted with four unknown miscreants, who on the point
of pistol, taken away the motorcycle of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Learned counsel for the petitioner also submits that
the petitioner is not named in the FIR. Name of the petitioner
has transpired in this case on the basis of confessional statement
made by co-accused persons namely, Dhananjay Kumar and
Niran Kumar and the same has got no evidentiary value. It is



next submitted that the looted motorcycle has not been recovered from the possession of the petitioner, rather the same has been recovered from the house of co-accused, namely, Patel Kumar. The petitioner has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused have been granted regular bail by this Court vide order dated 10.07.2024 and 09.08.2024 passed in Cr. Misc. Nos. 48301 of 2024 and 45869 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Jaipur P.S. Case No. 25 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

Rajorshi/-

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