

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87688 of 2024

Arising Out of PS. Case No.-453 Year-2024 Thana- GAYA MUFASIL District- Gaya

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Aman Kumar S/O Dilip Paswan R/O Village- Mallahtoli, Gandhi Nagar, P.S-
Mufassil, Dist.- Gaya, 823003 (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner : Mr. Ashwani Kumar, Advocate.
For the State : Mr. Ahmad Ali, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 08-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioner, apprehending his arrest, in connection with FIR No. 5109051240453 (Muffasil P.S. Case No. 453 of 2024) dated 28.05.2024, registered for the offence punishable under Section 392 of the Indian Penal Code. Subsequently, Sections 395 and 412 of the Indian Penal Code were added.

3. As per allegation, the informant was robbed by four unknown persons. It is further alleged that the Motorcycle of the informant has been recovered from the locality of the accused persons. The name of the petitioner has transpired in the confessional statement of co-accused.

4. Learned counsel for the Petitioner submits that the



Petitioner is innocent and has falsely been implicated in this case. He further submits that the FIR is named against unknown. The petitioner has no concern with the alleged offence even no Test Identification Parade has been conducted till date nor any article has been recovered from the possession of the petitioner. Only on the basis of confessional statement of co-accused, the petitioner has been falsely implicated.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner has got clean antecedent.

7. Learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs.10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya, in connection with FIR



No. 5109051240453 (Mufassil P.S. Case No. 453 of 2024),
subject to the conditions as laid down under Section 438 (2)
Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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