

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24893 of 2014

Arising Out of PS.Case No. -101 Year- 2003 Thana -PAHARPUR District-
EASTCHAMPARAN(MOTIHARI)

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Anil Kumar Pandey @ Arun Pandey @ Arun Kumar Pandey Son of Kailash
Pandey Resident of Village - Bhatwalia, P.S. - Sangarampur, District -
Motihari

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Pandey, Advocate

For the Opposite Party/s : Mr. L.K.Sharma(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

6 07-01-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner, apprehending his arrest in connection
with Paharpur P. S. Case No. 101 of 2003 registered for the
offences punishable under Sections 302 and 120B/34 of the Indian
Penal Code, seeks the privilege of pre-arrest bail.

The petitioner is not named in the FIR. His name
transpired on the basis that the motorcycle used in the crime has
been sold by the petitioner to co-accused.

Submission is that the petitioner has no concern with the
said motorcycle. It is the submission of co-accused only with a
view to save his skin as a matter of fact Jhulan Puri, owner of bike

who claimed that it has been sold to the petitioner on the basis of sale letter dated 26.07.2003. The petitioner was in custody at the time of occurrence and as such, he deserves sympathetic consideration to which the learned A.P.P. opposes.

Considering that the petitioner was in custody vide Annexure-3 series and he has been released on bail on 03.08.2004, he was in custody since 26.10.2003 whereas the occurrence took place on 06.11.2003 and as such, the petitioner, above-named, is directed to be released on anticipatory bail in the event of his arrest or surrender within one month from the date of receipt/production of a copy of this order on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Motihari in connection with Tr. No. 1997/13 arising out of Paharpur P.S. Case No. 101/03, subject to the condition as laid down under Section 438(2) Cr. P.C.

(Jitendra Mohan Sharma, J.)

Vats/-

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