

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49821 of 2014

Arising Out of PS.Case No. -81 Year- 2014 Thana -PARSAUNI District- SITAMARHI

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Md. Irfan son of Md. Gaffar resident of village - Dhurwar, P.S. Parsauni,
District - Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shankar Kumar

For the Opposite Party/s : Mr. Jagdhar Prasad (App)

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

2 09-04-2015 Heard learned counsel for the petitioner as well as

learned counsel for the State.

In this application for anticipatory bail the petitioner
apprehends his arrest for the offences punishable under sections
379 and 411/34 of the I.P.C.

Allegedly, the informant saw that one person was
removing the transformer and two persons were standing near the
pole with pick-up van. On alarm being raised all the three persons
started running away but two persons were caught, namely, Dhiraj
Kumar Patel and Umesh Sah and the petitioner managed to run
away. The apprehended persons stated that they were removing
the transformer for selling the same.

Submission is of false implication and that the

petitioner has not been caught at the spot, nothing has been recovered from his possession and he has got no criminal antecedent. There is cutting in the FIR and the FIR bears the L.T.I. of the informant. Who has written the FIR is not mentioned. Due to confusion name of the petitioner has been taken and compromise petition has also been filed in the court below showing innocence of the petitioner and as such the petitioner deserves sympathetic consideration, to which the learned A.P.P. opposes.

In the facts and circumstances, as the petitioner was not caught at the spot and nothing has been recovered from his conscious possession and as such the petitioner in case of his arrest or surrender within two months from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of. Sri R.K. Sinha, J.M. Sitamarhi in Parsauni P.S. Case No. 81 of 2014, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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