

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46341 of 2014

Arising Out of PS.Case No. -438 Year- 2014 Thana -KANTI District- MUZAFFARPUR

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Wakeel Miya Son of Late Jalil Miyan, Resident of Village - Dhebhan,
Polcie Station - Kanti, Dist.-Muzaffarpur`

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mazharul Hassan

For the Opposite Party/s : Mr. Nirmal Kr.Sinha(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

02/ 16-04-2015

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Sections
379/411 of the Indian Penal Code.

It is alleged that the she-buffalo of the
informant and three she-buffalos of other persons were found
missing. Subsequently, one co-accused Ajay Rai was
apprehended with one stolen she-buffalo, who suggested the
name of petitioner and others, on whose confession the house of
Shiv Nandan Giri was raided from where cash of Rs.1,14,500/-
and motorcycle was recovered.

It is submitted by learned counsel for the
petitioner that there is no recovery from the petitioner and except

confession of co-accused there is nothing against the petitioner.

A statement has been made in para 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate (West), Muzaffarpur in connection with Kanti P.S. Case No. 438 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The bail bonds of the petitioner will be accepted by the learned court below on filing affidavit to the effect that he will co-operate in the investigation. The said affidavit will be transmitted to the I.O. by the learned court below. The non-cooperation in the investigation will give liberty to the investigating agency to file application for cancellation of the bail of the petitioner.

(Dinesh Kumar Singh, J)

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