

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7982 of 2015

Arising Out of PS.Case No. -546 Year- 2014 Thana -SAUR BAZAR District- SAHARSA

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1. Md. Rabban Son of Md. Rustam Resident of Village- Sakhauri , P.S- Sour Bazar , District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s Mr. Suresh Prasad Singh (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

02/ 02.03.2015 Heard learned counsel for the petitioner as well as learned Addl. Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with Sour Bazar (Patarghat) P.S. Case no. 546/2014 registered under sections 392 and 506 of the IPC.

Petitioner is not named in the first information report but in course of investigation his name surfaced in the confessional statement of co-accused Binay Kumar from whose house looted motorcycle was recovered and thereafter, two witnesses claimed to have seen the petitioner committing alleged crime but it is surprising enough that informant and the petitioner are co-villagers and informant could not succeed to identify the petitioner at the time of alleged occurrence. Moreover, petitioner does not have any criminal antecedent.

Considering the aforesaid facts and circumstances as well as

submissions of the parties, this anticipatory bail petition is allowed and it is ordered that in the event of arrest/ surrender within four weeks from the date of receipt of this order to the concerned court, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saharsa in Sour Bazar (Patarghat) P.S. Case no. 546/2014 subject to condition as laid down under section 438(2) of the Cr.P.C.

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(Hemant Kumar Srivastava,J)

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