

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4901 of 2015

Arising Out of PS.Case No. -216 Year- 2009 Thana -OBRA District- AURANGABAD

=====

Kalendra Paswan S/O Raj Balam Paswan Resident of vill-Pema,P.S-Madanpur,Distt.-Aurangabad(Bihar)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Singh

For the Opposite Party/s : Mr. Jitendra Kr. Singh No.1(App)

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 27-04-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection with
Obra P.S. Case No. 216 of 2009 registered for the offences
punishable under Sections 395 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is staff of the petrol pump, in question, in which the
alleged scuffle is said to have been taken place. It is further
submitted that so far as the petitioner is concerned, he had
actually not participated in scuffle with the persons, who had
attacked the petrol pump and had not indulged in the act of
dacoity. It is further submitted that moreover, at the instance of the
petitioner, one of the persons, who had come to the petrol pump



was apprehended and was later handed over to the police. It is further submitted that the person, who was apprehended had also lodged a first information report bearing Obra P.S. Case No. 217 of 2009 under Sections 342, 395, 307 and 34 of the Indian Penal Code. It is further submitted that in neither of the cases, the petitioner has been arrayed as accused yet his name has surfaced during the course of the investigation in the statement of two persons who are merely said to have heard about the occurrence and not having been present there they were not competent to make such statement against him. It is further submitted that none of the employees of the petrol pump in question where he is also employee have raised a finger on him therefore, the petitioner may extended the benefit of anticipatory bail.

Considering the aforesaid submissions and also the fact that the petitioner is not an accused in any other case neither in Obra P.S. Case No. 217 of 2009, let the petitioner, in the event of his arrest or surrender before the court below within a period of two weeks from the date of receipt/production of a copy of this order, is/are directed to be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the S.D.J.M, Daudnagar, District - Aurangabad in connection with Obra P.S. Case No. 216 of 2009

subject to the conditions as laid down under Section 438(2) of the
Cr.P.C..

(Anjana Mishra, J)

Jagdish/-

U		T	
---	--	---	--