

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30731 of 2014

Arising Out of PS.Case No. -12 Year- 2013 Thana -PARIHAR District- SITAMARHI

1. Manoj Rai Son of Yogendra Yadav R/o Village Malahi, P.S. Bela,
District Sitamarhi at present Address Near of Parihar Block, P.s. Parihar,
District Sitmarhi

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

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

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

2 22-01-2015 Heard the parties.

In this application for anticipatory bail the petitioner apprehends his arrest for the offence punishable under section 394 of the I.P.C.

F.I.R. is against unknown to have snatched the Hero Honda Glamour motorcycle from the informant at the point of pistol after assaulting the informant and his associates.

Submission is that the petitioner is well known to the informant from very beginning and a co-accused in his confessional statement has stated the name of the petitioner only with the oblique motive. The petitioner has got no concern with the alleged occurrence and if he would be present at the place of

occurrence then his name might have come by the informant. In this regard the informant has filed an affidavit in the Court of C.J.M. Sitamarhi and as such in this case the petitioner deserves sympathetic consideration, to which the learned A.P.P. does not oppose.

In the facts and circumstances as stated above, as the name of the petitioner has come in the confessional statement of a co-accused and besides that there is nothing against him 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 C.J.M. Sitamarhi in Parihar P.S. Case No. 12 of 2013, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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