

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 31389 of 2016

Arising out of P.S. Case No. -79 Year- 2016 Thana -

MALSALAMI District- PATNA

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Sunil Kumar S/o Gopal Prasad Resident of Village -
Nawabganj, P.S. Malsalmi, District – Patna. Petitioner/s
Versus

The State of Bihar. Opposite Party/s
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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Singh, Adv.

For the Opposite Party/s: Mr. Yogendra Kr.Singh(App)
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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL ORDER

02. 16.08.2016

Heard learned counsel for the petitioner and the
State.

The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 420, 467,
468 and 379/34 of the Indian Penal Code.

It is contended on behalf of the petitioner that the
brother of the petitioner was engaged in business of sale of
mobile and SIM. Extension notice was given to the brother of
the petitioner by Dishnet Wireless Limited (Aircel Company)
which is apparent from Annexure-2. It is further contended
that, assuming the allegation to be true, the brother of the
petitioner namely Ajeet Sahgal @ Munna is engaged in illegal
business but petitioner has nothing to do with the same. He
has been made accused only for the reason that he allegedly
fled away with his brother at the time when the police reached
the house of the petitioner. It is stated that the antecedent of
the petitioner is clean.

Having regard to the facts and circumstances of the case, let the petitioner, namely, Sunil Kumar be released on bail in the event of his arrest/surrender before the court below within a period of six weeks from today in connection with Malsalami P.S. Case No. 79/2016, on furnishing bail bond of Rs.10,000 (Ten Thousand Rupees) with two Sri R.K. Bharti, Judicial Magistrate, 1st Class, Patna City, Patna or his successor subject to the conditions as laid down under sub-section (2) of Section 438 of the Code of Criminal Procedure.

However, at the time of accepting bail bond, the court below will verify and assure itself regarding the criminal antecedent of the petitioner. If the petitioner is having clean antecedent then his bail bond would be accepted otherwise he would be taken into custody.

(Dr. Ravi Ranjan, J.)

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