

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6020 of 2016

Arising Out of PS.Case No. -203 Year- 2015 Thana -SAHARSA District- SAHARSA

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Amit Kumar Pathak S/o Narayan Pathak, R/o Village + P.S.- Mahishi,
District- Saharsa.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma

For the Opposite Party/s : Mr. T.P.Mandal (App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 24-02-2016 Heard learned counsel for the petitioner and the learned
Addl. Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Saharsa Sadar Case No. 203/2015, disclosing offences under sections 413, 414, 34 of the Indian Penal Code.

According to the prosecution case, in course of check of the vehicles, police intercepted a motorcycle being driven by one Ankit Singh. There was pillion rider also in the said motorcycle. The said Ankit Singh was arrested, whereas the pillion rider fled away. No documents were produced in support of ownership of the said motorcycle by Ankit Singh, who took the name of one Keshav Mishra as the pillion order. Keshav Mishra was also subsequently arrested, who is said to have taken the name of the petitioner as the person who had given him that motorcycle.

Learned counsel, appearing on behalf of the petitioner, submits that the petitioner has no criminal antecedent and over and above the aforesaid confessional statement of co-accused, there is no material against the petitioner, who is not named in the F.I.R.

Considering the submissions as above, this application is allowed.

Let the petitioner, abovenamed, in the event of his arrest/ surrender before the court below within six weeks from today, 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 the Chief Judicial Magistrate, Saharsa in connection with Saharsa Sadar P.S.Case No. 203/2015, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

This is subject to the condition that the petitioner shall present himself before the police/ court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Surendra/-

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