

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19414 of 2016

Arising Out of PS.Case No. -120 Year- 2016 Thana -KATIHAR District- KATIHAR

=====

Ravi Jaiswal son of Late Shivaji Jaiswal resident of Aargara chowk, P.S.-
Town, District Katihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha

For the Opposite Party/s : Mr. Sucheta Yadav(App)

=====

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

4 12-07-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Town P.S. Case No. 120 of 2016, disclosing offences under Sections 399, 402, 120B of the Indian Penal Code and Section 25(i)(B)(a), 26, 35 of the Arms Act.

On receiving an information that few persons have assembled for committing dacoity, the police conducted a raid. The police could catch hold of two of the criminals but rest two said to have fled away. A vehicle which was found at the place of occurrence with a driver indisputably belonged to this petitioner, namely, Ravi Jaiswal, son of late Shivaji Jaiswal. The driver of the vehicle and one of the two persons were

arrested.

Learned counsel for the petitioner has submitted that upon chase, the police arrested one Ravi Jaiswal, son of Kishore Jaiswal with respect to which a different F.I.R. as Nagar (Sahayak) P.S. Case No. 121 of 2016 has been registered. The certified copy of the said F.I.R. has been produced before this Court.

Learned counsel for the petitioner has submitted that the petitioner is being wrongly implicated in the present case, on the sole basis of the statement of co-accused Ramesh Chaudhary, the owner of the vehicle whereas Ravi Jaiswal was with respect to whom the police had received information was subsequently, arrested by the police leading to a registration of Nagar (Sahayak) P.S. Case No. 121 of 2016.

I find substance in the above submission. This application is, accordingly, allowed. Let the petitioner, above-named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar, in connection with Town P.S. Case No. 120 of 2016 (G.R.No. 571/ 2016), subject to the

condition laid down under Section 438(2) of the Code of Criminal Procedure.

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 bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

ajaypd./-

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