

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5868 of 2016

Arising Out of PS.Case No. -181 Year- 2015 Thana -RAMKRISHNANAGAR District- PATNA

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Jitendra Kumar, aged about 17 years, S/o Sri Dinesh Prasad, Resident of Mohalla- Nayachak, C/o Sri Shyam Babu, P.S.- Ramkrishna Nagar, District/Town- Patna under the Guardianship of Father Namely Sri Dinesh Prasad. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate
For the Opposite Party/s : Mr. Ajay Kr. Jha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH

ORAL ORDER

2 22-02-2016 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Ram Krishna Nagar P.S. Case No. 181 of 2015, disclosing offences under Section 379 of the Indian Penal Code.

The petitioner is named in the First Information Report on the basis of the written report submitted by the informant to the Officer-in-charge, Ram Krishna Nagar Police Station, Patna.

Learned counsel for the petitioner submits that allegedly the occurrence took place when the informant was travelling in a Tempo. The petitioner is said to be the Conductor of the Tempo whereas the another co-accused, the driver. Learned counsel for the petitioner submits that it is highly improbable that the informant would be knowing the names, addresses and

parentage of the accused persons merely as a passenger in the Tempo. He accordingly contends that the petitioner has been falsely implicated for oblique reasons. It has also been submitted that the petitioner has no criminal antecedent.

In view of the submissions as above, this application is 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 bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Patna in connection with Ram Krishna Nagar P.S. Case No. 181 of 2015, subject to the conditions as 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 bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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