

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42377 of 2016

Arising Out of PS.Case No. -61 Year- 2016 Thana -BHAGWANPUR District- VAISHALI (HAJIPUR)

1. Rajesh Kumar Son of Satrugan Rai Resident of Village- Bakhari, P.S.- Minapur, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha

For the Opposite Party/s : Mr. Anzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 06-10-2016 Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Bhagwanpur Police Station Case No. 61 of 2016, disclosing offences under Sections 429/467/468/120B/34 of the Indian Penal.

The petitioner has been named in the First Information Report itself on the basis of statement of co-accused Ramesh Kumar, who was apprehended from A.T.M. booth. From the possession of Ramesh Kumar, several A.T.M. cards were recovered. He described the present petitioner as his accomplice, who, according to him, had sneaked away from the place on seeing the Police.

Learned Counsel for the petitioner has

submitted that since the petitioner's implication is based merely on the statement of co-accused before the Police, he should be allowed anticipatory bail. He has further submitted that said Ramesh Kumar has been granted regular bail by this Court vide order, dated 19.09.2016, passed in Criminal Misc. No. 39391 of 2016.

Considering the above submission and the facts and circumstances in entirety I dispose of this application with a liberty to the Police to ask the petitioner to appear before it as and when required, by issuing notice, under Section 41-A of the Code of Criminal Procedure, 1973. If the petitioner co-operates with the Police and appears before it in compliance of the said notice, he shall not be arrested.

This application stands disposed of accordingly.

Let a copy of this order be communicated to the Superintendent of Police, Vaishali.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-c

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