

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No. 43964 of 2016**

Arising Out of PS.Case No. -57 Year- 2016 Thana -PAROO District- MUZAFFARPUR

=====

Chandan Kumar Son of Loknath Baitha, resident of Village- Kataru, P.S.- Paroo,  
District- Muzaffarpur.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s

:

Mr. Yugal Kishore, Advocate

For the State

:

Mr. Anand Mohan Prasad Mehta, A.P.P.

=====

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH**  
**ORAL JUDGMENT**

**Date: 06-10-2016**

Heard learned counsel for the parties.

The petitioner seeks pre-arrest bail in Paroo P.S.

Case No. 57 of 2016 dated 06.04.2016 instituted under Sections  
414/34 of the Indian Penal Code.

The allegation against the petitioner is that he along  
with Santosh Thakur, has run away when the police party came,  
leaving behind the motorcycle, for which no papers were produced.

Learned counsel for the petitioner submits that he  
was named by two persons who were also the seizure list witnesses,  
but one of them has said on affidavit that he only signed on a blank  
paper and has not named the petitioner.

Learned A.P.P. opposes the prayer and submits that  
the mere statement of the witnesses that he was made to sign on a  
blank paper will not falsify the case, moreso, when the signature

itself is not denied. It is further submitted that nobody would sign on a blank paper, as there is no allegation that the said witness was coerced or forced by the police to sign on the blank paper. Moreover, it is submitted, that the other witness has not denied the signature.

Having considered the facts and circumstances of the case, the Court is not inclined to enlarge the petitioner on anticipatory bail.

Accordingly, the application stands dismissed.

However, in the event the petitioner surrenders before the Court below and seeks regular bail within one month from today, the same shall be considered on its own merits, in accordance with law, without being prejudiced by the present order.

**(Ahsanuddin Amanullah, J.)**

P. Kumar

|                   |      |
|-------------------|------|
| AFR/NAFR          | NAFR |
| CAV DATE          | NA   |
| Uploading Date    |      |
| Transmission Date |      |