

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31812 of 2016

Arising Out of PS.Case No. -130 Year- 2012 Thana -KURSELA District- KATIHAR

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Rajiv Kumar Chaudhary @ Rajiv Chaudhary S/o- Dinesh Chaudhary, R/o
Naya Chowk, Kursela, P.S- Kursela, Distt- Katihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh

For the Opposite Party/s : Mr. Sri Kumar Ranjit Ranjan

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 24-08-2016

Heard Sri Sanjeev Kumar Singh, learned counsel

for the petitioner and Sri Kumar Ranjit Ranjan, learned Addl.
Public Prosecutor.

The sole petitioner apprehends his arrest in Kursela
P.S. Case No.130/12 registered for the offence under Sections 379
and 411 of the Indian Penal Code.

It was submitted by learned counsel for the
petitioner that in the F.I.R. the petitioner was named as suspect.
However, during investigation, nothing was shown against the
petitioner and, as such, the petitioner was not shown as accused in
column no.11 of final report. However, against one of the accused
Murari Kumar, chargesheet was submitted. Subsequently, the
learned Chief Judicial Magistrate differing with the police report

has taken cognizance of offence against the petitioner also.

Keeping in view the fact that during investigation the case was not found true against the petitioner, the Court is of the opinion that it is a fit case for grant of anticipatory bail. Let the petitioner, namely, Rajiv Kumar Chaudhary @ Rajiv Chaudhary , in the event of his arrest or surrender 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 learned Addl. Chief Judicial Magistrate 3rd, Katihar in connection with Kursela P.S. Case No.130/12, subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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