

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47549 of 2016

Arising Out of PS.Case No. -301 Year- 2015 Thana -PIRBAHOR District- PATNA

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Pappu Kumar Son of Late Rajendra Prasad, Resident of Village- Jaitipur,
Police Station- Naubatpur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar

For the Opposite Party/s : Mr. Mr. Manoj Kumar

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 15-12-2016 Heard the learned counsel for the petitioner as well as

the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Pirbahore P.S. Case No. 301 of 2015/ G.R. No. 9014 of 2015 for the offence punishable under section 409 of the I.P.C.

Allegedly, the petitioner was found illegally filling up Oxygen gas cylinder of some other persons from the main gas plant of I.G.C.C, P.M.C.H. Patna.

Submission of the petitioner is that he has been falsely implicated in this case, the occurrence has taken place on 18.12.2015 but the FIR has been registered on 22.12.2015 after much delay, the petitioner has been implicated in this case at the



instance of N.K.Sinha, who is a different gas supplier, just to tarnish the image of the petitioner and supply of Oxygen, the petitioner has got no criminal antecedent and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes prayer for bail.

In the facts and circumstances as stated above, considering that the petitioner has got no criminal antecedent, the informant is not an eye witness rather on the statement of N.K. Sinha written statement has been lodged and as such the petitioner, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order, shall 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 Sessions Judge, Patna in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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