

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37314 of 2016

Arising Out of PS.Case No. -2 Year- 2014 Thana -JAMHORA District- AURANGABAD

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Anand Kumar son of Late Barat Goswami resident of New Area, Ravidas Nagar, Police Station- Town Aurangabad, District- Aurangabad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2, Advocate.

For the Opposite Party/s : Mr. Sri Braj Kishore Prasad, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

2 10-09-2016

Heard learned counsel for the petitioner and learned A.P.P.

for the State.

The petitioner apprehends his arrest in connection with Jamhore P.S. Case No. 02 of 2014 for the offence alleged under Sections 392 of the Indian Penal Code which was converted into 395, 120(B), 412 and 420 IPC.

The prosecution case is that on 3.1.2014 at about 6.45 P.M. while the informant was returning and reached near Kripali Baba at NH 98, three persons came from a pulsor motor cycle and snatched his purse, mobile and Rs. 4000/-. All the three boys were aged about 20-24 years. One person sat on his motor cycle and took it away towards Aurangabad.

It has been submitted by the learned counsel for the petitioner that the petitioner is innocent, not named in the FIR and has not committed any offence. He submits that on the confessional statement, several persons have been arrested but all

those accused persons have not taken his name but during course of investigation, his name surfaced as a member of gang. Learned counsel further submits that he has nothing to do with the alleged occurrence and has falsely been implicated as there was another case pending against him under Section 392 of the IPC in which he is on bail.

However, learned APP for the State submits that although the petitioner is not named in the FIR but during course of investigation his name surfaced, hence opposes the prayer for bail.

Be that as it may, let the petitioner, above named in the event of his arrest/surrender before the learned court below within a period of eight weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in connection with Jamhore P.S. Case No. 2 of 2014 subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Nilu Agrawal, J)

Prakash/-

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