

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 30648 of 2016

Arising Out of PS.Case No. -351 Year- 2016 Thana -MUZAFFARPUR TOWN District-
MUZAFFARPUR

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Manindar Singh @ Kukku Sardar, son of Late Joginder Singh, resident of Mohalla – Madani Lane, P.S. Mithanpura, District – Muzaffarpur, proprietor of New Khalsa Handloom, Sutta Patti, Sheetla Gali, P.S. Muzaffarpur Town, District – Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Singh

For the Opposite Party/s : Mr. Akbar Ali

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4. 30-11-2016 Heard Sri Vijay Kumar Singh, learned counsel for the petitioner and Mr. Akbar Ali, learned Addl. Public Prosecutor. None appeared on behalf of informant, whereas, on 22-10-2016, while the matter was taken up, learned counsel for the informant had voluntarily appeared and stated that the petitioner had filed an affidavit admitting that he has taken away goods worth Rs. 54 lacs of the informant, thereafter, a Bench of this Court directed the Senior Superintendent of Police, Muzaffarpur to file an affidavit in respect of verification/identification of signature of the petitioner on such agreement.

In compliance with the order of this Court, an affidavit has been filed by the Senior Superintendent of Police

alongwith opinion of the Police Laboratory C.I.D. Bihar, Patna regarding the signature, which does not support the stand of the informant.

The petitioner has prayed for grant of anticipatory bail in Muzaffarpur Town P.S. Case No. 351 of 2016 registered for offence under Sections 406 and 420 of the Indian Penal Code. Earlier, a Bench of this Court, by its order dated 22-10-2016, had already directed not to take any coercive step against the petitioner in the present case.

Learned counsel for the petitioner submits that the F.I.R. categorically indicates that dispute in between the petitioner and the informant was civil in nature, however; F.I.R. has been lodged.

Besides hearing, I have also perused the materials on record, including the affidavit of Senior Superintendent of Police.

In view of nature of accusation, there is no reason to deny the prayer for grant of anticipatory bail.

Accordingly, in the event of arrest or surrender within a period of six weeks from today, let the petitioner namely Manindar Singh @ Kukku Sardar be enlarged 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

Chief Judicial Magistrate, Muzaffarpur in connection with
Muzaffarpur Town P.S. Case No. 351 of 2016, subject to condition
laid down under Section 438(2) of the Cr.P.C.

(Rakesh Kumar, J.)

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