

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43819 of 2017

Arising Out of PS. Case No.-99 Year-2016 Thana- KOTWA District- East Champaran

Niranjan Kumar, Son of Munga Lal, R/o Vill.- Rajapur Mathia, P.S.- Kotwa,
District- East Champaran Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliar

For the Opposite Party/s : Mr. RAJEEV NAYAN

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 19-12-2017 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of
Kotwa Police Station Case No. 99 of 2016, disclosing offences
under Sections 413/414/34 of the Indian Penal Code.

According to the case of the prosecution, three persons
riding two motorcycles were seen fleeing possibly to avoid the
police. The police, on chase, apprehended two of them with the
motorcycles. The third person is said to have fled away. One of
the persons apprehended by the police allegedly named the
petitioner. The persons apprehended are said to have disclosed
the police that they had stolen one vehicle. It transpires that on
the basis of their statement, two motorcycles and one tractor
from some other place were recovered.

It is the stand on behalf of the petitioner that he has no



criminal antecedent and he has been implicated for wrong reasons. Learned Counsel for the petitioner submits that except for the so-called confessional statement of an accused, there is no material against the petitioner.

Considering the above submissions, this application is allowed.

Let the petitioner, Niranjana Kumar, in the event of his arrest or surrender before the Court below within six weeks, 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 learned Chief Judicial Magistrate, Motihari, East Champaran, in connection with Kotwa Police Station Case No. 99 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---

