

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61726 of 2017

Arising Out of PS. Case No.-20 Year-2017 Thana- CHENARI District- Rohtas

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Sonu Ram Son of Ramashankar Ram resident of Village Khaira Ved, P.S.
Chenari, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwary, Adv.

For the Opposite Party/s : Mr. J. N. Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 21-12-2017 Heard learned Counsels for the petitioners and learned
APP for the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 457/380/411/34 of the Indian Penal Code.

Prosecution case as per the informant, Nagendra Tiwari is to the effect that on 25.01.2017 at about 11.25 PM, in the night, the informant woke up on some unusual sound and came to courtyard, whereupon, he saw co-accused Priyanshu Kumar took pant and shirt of the informant from the hanger and



co-accused, Munna Kumar, was standing on the stairs, though Munna Kumar escaped from the scene, but Priyanshu Kumar was apprehended from the place of theft. Earlier also theft of money was committed in the house of the informant. Subsequently, Priyanshu Kumar named this person of having participating in the commission of theft.

It is submitted by learned counsel for the petitioner that as per the FIR the petitioner was not present on the place of occurrence. There is no recovery from the petitioner. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Considering the fact that the petitioner's name sprang up on the confession of co-accused, Priyanshu Kumar during investigation and he was not named in the FIR, coupled with statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Rohtas, in connection with Chenari P.S. Case No.20 of 2017, subject to the



conditions as laid down under Section 438(2) of the Cr.P.C.

The learned Court below will accept the bail bond of the petitioner on filing of affidavit by the petitioner to the effect that he will regularly co-operate in the investigation.

(Dinesh Kumar Singh, J)

Ashwini/-

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