

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29304 of 2017

Arising Out of PS.Case No. -130 Year- 2016 Thana -RAJIVNAGAR District- PATNA

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1. Dinesh Kumar, S/o Late Sukhdeo Singh, resident of village- Dhibera,
P.S.- Para Bazar, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Smt. Asha Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 26-07-2017

Heard learned counsel for the Petitioner and the
State.

The Petitioner apprehends his arrest in Rajiv Nagar
P.S. Case No.130 of 2016 instituted for the offence under
Section(s) 399, 402 Indian Penal Code and Sections 25(1-b)a, 26,
35 of the Arms Act.

It has been submitted that the petitioner has clean
antecedents. He was not caught at the spot.

As per written report, the police on getting
information that few persons have assembled for committing
dacoity reached the place of occurrence and arrested one person,
namely, Md. Sonu, who disclosed the name of other accused
persons, namely, Ramesh Kumar and Deepak Kumar, who
managed to run away on Yamaha motorcycle.



It is alleged that from the possession of Md. Sonu, one country made pistol, one live cartridges, one Samsung mobile, one Hero Honda motorcycle bearing registration no.BR 01AY 9650 have been recovered. The petitioner is said to be the owner of the said motorcycle.

From the written report itself, it appears that the aforesaid motorcycle was recovered from the possession of Md. Sonu. The petitioner was not present at the place of occurrence.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Rajiv Nagar P.S. Case No.130 of 2016, he shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Patna, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the



petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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