

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26447 of 2017

Arising Out of PS.Case No. -9 Year- 2017 Thana -FORBESGANJ District- ARRARIA

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1. Md. Guddu @ Guddu Son of Md. Akhtar, Resident of Village-Jhhirwa
Purwari, P.S.-Simraha (Farbisganj), District-Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana

For the Opposite Party/s : Mr. Sri Mritunjay Kumar Nirala

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 13-07-2017 Heard learned counsel for the petitioner, and the

learned counsel representing the State.

The petitioner apprehends his arrest in connection
with Forbisganj P.S Case No. 09 of 2017 registered for the
offences punishable under Sections 364 and 392 of the Indian
Penal Code.

The petitioner is not named in the First Information
Report. His name has been transpired from the confessional
statement of Md. Ekbal Ansari. As per the impugned order, in the
confessional statement, it is alleged that petitioner has sold the
said tractor on receiving consideration amount of Rs. 32,000/- to
Md. Shamsheer Ansari and Md. Nasar Ansari has also confessed
about his involvement.



Submission is of false implication and besides the confessional statement, there is no other legal material against the petitioner. Recovery of stolen property is from possession of Md. Samsar Ansari.

Learned A.P.P. seriously opposes the prayer of pre-arrest bail by submitting that the petitioner has sold the said tractor on receiving consideration money of Rs. 32,000/- and, as such, the petitioner does not deserve pre-arrest bail.

In the facts and circumstances stated above, considering that besides confession, there is no other legal material and, as such, the petitioner in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of the order shall 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 learned C.J.M., Araria in connection with Forbisganj P.S. Case No. 09 of 2017 subject to the conditions as laid down in Section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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