

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26857 of 2017

Arising Out of PS.Case No. -56 Year- 2017 Thana -RAXAUL District-
EASTCHAMPARAN(MOTIHARI)

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1. Anand Kumar Srivastava @ Anand Kumar Prasad Son of Rajeshwar Prasad, Resident of Village- Champapur, P.S.- Ramgarhwa, District- East Champaran, at present residing at present residing at Village Qr. No. 203, Adityapur, Naginapuri, P.S. Adityapur, Jamshedpur, District- Western Singhbhum, Jharkhand.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar
For the Opposite Party/s : Mr. Dashrath Mehta

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 10-07-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in custody since 16.03.2017 in connection with Raxaul P.S. Case No. 56/17 for offences punishable under Sections 379, 411, 413, 420, 467, 468, 471 of the Indian Penal Code.

The prosecution case, as lodged by the police personnel, is that during course of checking they intercepted the Tata Sumo Gold vehicle and petitioner was apprehended carrying a stolen vehicle, whose real owner was one Sujay Kumar Chakrovarty as per the documents found in the vehicle.



It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent and has been falsely implicated in the aforesaid case on the basis of his own extra judicial confession before the police and that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned APP for the State submits that the petitioner is named in the First Information Report and the original owner was called by the police, who later on took his vehicle away from the police station, hence, opposes the prayer for bail.

Considering the facts and circumstances and the period of custody, let petitioner, above named, 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 learned S.D.J.M., Raxaul, East Champaran at Motihari, in connection with Raxaul P.S. Case No. 56/17, subject to the condition that both the bailors would be a close relative of the petitioner, who would have sufficient immovable property within the jurisdiction of the concerned police station/ court, who will file an affidavit stating their relationship with the petitioner.

(Nilu Agrawal, J)

Rajesh/-

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