

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51213 of 2017

Arising Out of PS. Case No.-233 Year-2016 Thana- MAHESI District- East Champaran

Satrudhan Rai, Son of Late Bachchu Rai, Resident of Village- Mohammad Pur Balmi, P.S.- Moti Pur, District- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Adv.
For the Opposite Party/s : MD. Ansarul Haque, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-11-2017 Heard learned counsels for the petitioners and State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 414/34 of the IPC.

The prosecution case, as per the written report of Krishnadeo Khatait, Sub-Inspector of Police, Mehsi Police Station is to the effect that on 23.12.2016, the informant while, he was on patrolling duty, received information that at Mehsi Bahadur Ganj Market, negotiation is going on for selling of stolen vehicle. Subsequently, he informed the higher official and conducted raid, when the accused persons escaped from the scene, but one person was arrested, who disclosed his name as Dilip Kumar rai, who further disclose the names of his associates as Balendra Rai, Harinarayan Rai and the petitioner Satrudhan Rai, who came to purchase the stolen vehicle from



Basant Rai and Naresh Rai.

It is submitted by learned counsel for the petitioners that merely on confession of co-accused, the petitioner has been roped in the present case. Admittedly, there is no recovery from the petitioner and the investigation is still pending. A statement has been made in paragraph no. 3 of the petition that the petitioner has no criminal antecedent.

It is further submitted that similarly situated accused persons Balendra Rai @ Bijendra Rai and Naresh Rai have been granted anticipatory bail by co-ordinate Bench of this Court, vide Cr. Misc. Nos. 30219 of 2017 and 24475 of 2017.

Learned APP submits that the name of the petitioner sprang up on the confession of co-accused.

Considering the fact that name of the petitioner sprang up on the confession of co-accused and other similarly situated accused persons have been granted anticipatory bail, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned ACJM-VI, Motihari, East Champaran in connection with Mehshi P.S. Case no. 233 of



2016, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

The bail bond of the petitioner shall be accepted by the learned court below on filing affidavit that he will regularly co-operate during investigation.

Non-cooperation of the petitioner during investigation will give liberty to the learned Court below to cancel the bail bond of the petitioner.

(Dinesh Kumar Singh, J)

Amrendra/-

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