

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65273 of 2018

Arising Out of PS. Case No.-7 Year-2017 Thana- BAUSI District- Purnia

Rahbar @ Md. Rahbar, Son of Zahir, Resident of Village-Harkhaily, P.S.
Dagarua, Distt.-Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Adv.
For the Opposite Party/s : Mr. J. N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-12-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Section 395 of the Indian
Penal Code.

Accusation is of robbing a Tata Magic vehicle which was
carrying 12 businessmen along with cash of Rs.39,000/- and
38,000/- respectively from the different businessmen and
Rs.1800/- from the informant. The accused persons also alleged
to have robbed mobile phones from the informant and different
businessmen. The FIR was registered against unknown. The
petitioner was named in the present case on the confession of
co-accused, Janaid Alam.

It is submitted by learned counsel for the petitioner that the



petitioner's name surfaced in the present case on the confession of one Janaid Alam, who has been granted regular bail vide Criminal Miscellaneous No.17306/2017. Except confessional statement of co-accused no other evidence has surfaced against the petitioner and furthermore 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.

It is submitted by learned APP for the State that the name of the petitioner surfaced during investigation.

Considering the fact that there is no recovery from the petitioner, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner 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) with two sureties of the like amount each to the satisfaction of the learned CJM, Purnea, in connection with Baisi P.S. Case No.07 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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