

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52877 of 2018

Arising Out of PS.Case No. -120 Year- 2018 Thana -BHAGALPUR GRP CASE District-
BHAGALPUR

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Aman Choudhary, son of Sri Bishambhar Choudhary, resident of Village-
Mirza Chowki Bazar, Police Station- Mirza Chowki in the district of
Sahebganj (Jharkhand).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Prabhu Narayan Sharma, Advocate.

For the Opposite Party : Mr. Kumar Ranjit Ranjan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-09-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 401 and 414 of the IPC.

The prosecution story, in brief, is that the informant
was on duty alongwith others and in the meantime on 08.06.2018
at 7 hours *Brahmputra Male Up* reached at Platform No. 2, one
person was found fleeing seeing the police with a bag on his back
and he was stated to stop but he started to run fast and he was
caught by chase and on inquiry he stated his name Nisar and he
was searched in presence of two witnesses, four mobiles were
found and other several articles and a purse having *Adhar Card* of
others and cash of Rs. 13,800/- and on enquiry, they admitted the
articles of theft and stated the name of this petitioner.



It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The name of the petitioner has inspired in the present case on the basis of confessional statement of co-accused Nisar. Except for confessional statement, there is no substantive evidence to suggest the implication of the petitioner in the present case. No incriminating article is said to have been recovered from conscious possession of the petitioner.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Railway, Bhagalpur, in connection with Rail Bhagalpur (G.R.P.S.) P.S. Case No. 120/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

