

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.64049 of 2018

Arising Out of PS. Case No.-320 Year-2016 Thana- JOKIHAT District- Araria

=====

Md. Shakoor @ Shakoor, S/o Hasibul, Resident of Village- Dhanpura, P.S.
Jokihat, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Manish Kumar, Adv.

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 13-12-2018 The petitioner seeks bail in anticipation of his

arrest in connection with Jokihat P.S. Case No. 320 of 2016,

dated 11.10.2016, instituted for the offences under Sections

457, 380, 404, 406 and 420/34 of the I.P.C.

The informant, who is the sister of one Jamal

Ahmad, has lodged the F.I.R. alleging that after the death of

aforesaid Jamal Ahmad, who was running a business of brick

kiln along with the petitioner and another, she visited the

brick kiln and found that certain valuables and documents



belonging to her brother and his wife have been taken away. She, therefore, suspected that the petitioner and another, who were partners of her brother, have caused disappearance of those valuables for the purposes of misappropriating the entire brick kiln business.

The learned counsel for the petitioner has submitted that the allegation has been levelled only on the basis of assumption by the sister of the deceased partner of the petitioner. In fact, the wife of the deceased, who always resided along with the deceased, has certified that her belongings have been brought by her after the death of her husband. It appears, it has been argued, that the F.I.R. has been lodged without ascertaining the correct facts.

In any view of the matter, regard being had to the nature of accusation and taking into account that the petitioner had been a partner of the deceased/brother of the informant and he does not have any criminal antecedents, this Court is inclined to grant him anticipatory bail.

Let the petitioner above named, in the event of his arrest or surrender before the learned Court below within a



period of four weeks from the date of receipt/production of a copy of the present order, be released on bail on his furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-VI, Araria in connection with Jokihat P.S. Case No. 320 of 2016, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

Praveen-II/-

U		T	
---	--	---	--

