

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65243 of 2018

Arising Out of PS. Case No.-319 Year-2015 Thana- DIGHA District- Patna

Vimal Rai S/o Sri Uttim Rai R/o Village-Sherpur,P.S.-Maner, Distt.-Patna
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjiv Sharan

For the Opposite Party/s : Mr. Sri Sunil Kumar Pandey

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 his arrest in a case registered for the offences punishable under Sections 419, 420, 467, 468 and 471 of the Indian Penal Code.

The prosecution case as per the written report of Saurav Kant, Executive Engineer, Camp Office, Digha, Bihar State Housing Board dated 10.10.2015 submitted to the Station House Officer of Digha Police Station is to the effect that on 10.10.2015 at about 12.30 to 13.00 P.M. during the local visit the informant found that on the land of Housing Board, some illegal construction is being made, leading to registration of the FIR against unknown. However, during investigation name of the petitioner transpired.

It is submitted by learned counsel for the petitioner



neither the petitioner has claimed the land nor any incriminating material has been recovered and similarly situated co-accused Neeraj Kumar has been granted anticipatory bail by co-ordinate Bench of this Court vide Cr. Misc. No. 46606 of 2018. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the name of the petitioner transpired during investigation.

Considering the suspicious nature of accusation coupled with the statement made in paragraph 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 twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Patna in connection with Digha P.S. Case No. 319 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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