

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70270 of 2018

Arising Out of PS. Case No.-59 Year-2018 Thana- SIKARHATTA District- Bhojpur

Situ Kumar @ Sintu Kumar, Son of Late Shastri Pandit @ Late Rajeshwar Prasad Shastri, Resident of Village- Kurmuri, Police Station- Sikarhatta in the district of Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 07-12-2018 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 Sections 427 and 120B of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case as per the written of Mukesh Kumar, submitted to S.H.O. Sikarhatta P.S. is to the effect that on 04.09.2018 at about 09.30 P.M., some miscreants came and resorted to firing and damaged the wooden shop of the informant.

It is submitted by learned counsel for the petitioner that the FIR has been lodged against unknown persons and the name of the petitioner sprang up during the confessional statement of co-accused Bimlesh Kumar. It is further submitted that 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 there is specific accusation against the petitioner.

Considering the fact that the petitioner was not named in the FIR and his name sprang up during the confessional statement of co-accused, Bimlesh Kumar, 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 **S.D.J.M., Bhojpur at Ara** in connection with **Sikarhatta P.S. Case No. 59 of 2018** subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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