

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9574 of 2018

Arising Out of PS.Case No. -171 Year- 2017 Thana -DALSINGHSARAI District- SAMASTIPUR

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Rajan Kumar @ Ranjan Kumar @ Ranjan Kumar Patel, Son of Late
Surendra Prasad, Resident of Village – Misina, P.S. Khanpur, District –
Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh

For the Opposite Party/s : Mr. Sri Narendra Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

02/ 17-02-2018

Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in
a case registered for the offence punishable under Section 392 of
the Indian Penal Code.

The prosecution case got initiated on the
written report of Brajesh Kumar submitted to the Station House
Officer of Dalsinghsarai Police Station on 14.06.2017 at 7.00
A.M. is to the effect that one Honda car bearing Registration No.
WB20AG/5758 was robbed on the pistol point leading to the
registration of FIR against unknown. During investigation, one
Shailendra Kumar was arrested, who suggested the name of the
petitioner.



It is submitted by learned counsel for the petitioner that except confession of the co-accused Shailendra Kumar, there is nothing on record to suggest the complicity of the petitioner. There is no recovery of the robbed car from the petitioner. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent. Moreover, co-accused Mahesh Sahni, whose name was also sprang up on the confession of co-accused Shailendra Kumar, has been granted regular bail by a co-ordinate Bench of this Court vide Cr. Misc. No. 49414 of 2017.

Considering the fact that the name of the petitioner sprang up on the confession of the co-accused Shailendra Kumar and statement 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 Additional Chief Judicial Magistrate, Dalsingsarai, Samastipur in connection with Dalsingsarai P.S. Case No. 171 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



The bail bond of the petitioner will be accepted by the learned Court below on filing of affidavit to the effect that he will co-operate in the investigation, if the investigation has already not been concluded. The non-cooperation in investigation will give liberty to the prosecution to file application for cancellation of bail of the petitioner.

(Dinesh Kumar Singh, J)

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