

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4948 of 2018

Arising Out of PS. Case No.-88 Year-2004 Thana- ARWAL District- Jehanabad

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Rameshwar Prasad @ Ishwari Sao, son of Pradeep Sao, resident of village-
Ahiyapur, P.S. + District- Arwal

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner	:	Mr. Abhay Kumar, Advocate
		Mr. Jitendra Kumar Bharti, Advocate
For the Opposite Party	:	Mr. Sri Tapeswar Sharma (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 08-02-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection with
Arwal P.S. Case No. 88 of 2004, registered for the offence punishable
under Section 395 of the Indian Penal Code.

Allegedly, when in the night of 10-11 October 2004 the
informant was coming from Patna with his family members with two
vehicles after performing “*Dah Sanshkar*” of father-in-law, their two
vehicles were intercepted by five miscreants and they committed loot
of mobiles, writs watch, golden chain, ear ring, cash and camera.
During investigation, the name of the petitioner transpired but after
competing investigation final form was submitted but the learned
C.J.M after differing with the opinion took cognizance.

Submission is of false implication and that the
petitioner is not named in the F.I.R., during investigation no



legal and tangible material has come against the petitioner resulting, final form was submitted. The petitioner has got no knowledge about this case. In this case some of co-accused have been acquitted and as soon as the petitioner came to know about this case he applied for pre-arrest bail before the Sessions Judge, Jehanabad which was disposed of by the 1st Additional Sessions Judge vide order dated 23.12.2017 and as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. fairly submits that final form was submitted against the petitioner but cognizance has been taken.

In the facts and circumstances as stated above, the petitioner in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Arwal, in connection with Arwal P.S. Case No. 88 of 2004, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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