

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52678 of 2018

Arising Out of PS.Case No. -496 Year- 2017 Thana -KANKARBAG District- PATNA

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1. Mukkul Kumar @ @ Mukul Kumar @ Mukul Anand son of Om Prakash
Sharma, resident of Village- Chechaul, P.S. Naubatpur, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra

For the Opposite Party/s : Md. Fahimuddin

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-09-2018 Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner is apprehending his arrest in a case registered
under Section 406 of the Indian Penal Code.

The prosecution case, in brief, is that the informant gave his
vehicle to the petitioner for his use and on demand, the petitioner
refused to return back the same.

It has been submitted on behalf of the petitioner that there is
no allegation of tampering of witnesses alleged against the
petitioner. The petitioner is agnate of the informant. There is
property dispute between the parties. The alleged occurrence is
said to be of 26-06-2017 and the FIR was instituted on 08-07-
2017. The delay has not been explained by the prosecution. There



is no documentary evidence to show that the car in question was entrusted to the petitioner. There is no other substantial evidence to suggest the implication of the petitioner in the present case for committing an offence u/S 406 of the Indian Penal Code.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Smt. Madhavi Singh, learned Judicial Magistrate-Ist Class, Patna in connection with Kankarbagh P.S. Case No. 496 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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