

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.52880 of 2018**

Arising Out of PS.Case No. -211 Year- 2018 Thana -FALKA District- KATIHAR

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Md. Ansar @ Md. Ansar Ansari, S/o Nijamuddin @ Mohammad Najam,  
resident of Village- Gorgama, P.S.- Korha, District- Katihar.

.... .... Petitioner

Versus

The State of Bihar ..... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Bhola Prasad, Advocate.

For the Opposite Party : Mr. Bharat Bhushan, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      20-09-2018                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for  
the offence registered under Sections 419, 465, 468 and 414 of the  
IPC.

The prosecution story, in brief, is that on 06.06.2018  
while the informant alongwith the police personnels were on duty,  
in that course, they apprehended four miscreants alongwith their  
motorcycle. On query, they disclosed their name Rahul Kumar,  
Shiv Shankar Kumar, Golu Kumar and Gaurav Kumar (co-  
accused persons) and said Golu Kumar disclosed the name of this  
petitioner and the motorcycle in question belongs to this  
petitioner. It has been stated that on demand, no any paper  
regarding the ownership of motorcycle was produced by the



accused persons. The informant prepared seizure list to this effect.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The name of the petitioner has come on the basis of confessional statement of co-accused Golu Kumar. No stolen property is alleged to have been recovered from possession of the petitioner. The petitioner has been made accused in the present case due to mistake of fact.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or 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 the learned A.C.J.M.-V, Katihar in connection with Falka P.S. Case No. 211/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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**(Sudhir Singh, J)**

