

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.62124 of 2018

Arising Out of PS.Case No. -87 Year- 2018 Thana -AKBARPUR District- NAWADA

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Sonu Kumar, Son of Radhe Shyam Saw, Resident of Village- Fatehpur,
P.S.- Akbarpur, District- Nawada. Petitioner.

Versus

The State of Bihar. Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar

For the Opposite Party/s : Mr. Sri Nand Kishore Pd

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

ORAL ORDER

02/ 08-10-2018

Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 379 and 506 of the Indian Penal Code.

The prosecution case, as per the written report of Prithvi Singh dated 09.04.2018 submitted to the Station House Officer, Akbarpur P.S., is to the effect that on 05.03.2018 the informant purchased one Indigo car. On 30.03.2018, the informant parked the said car in front of his shop and at 3.00 A.M., when he woke up to ease he saw all six accused persons near the car including the petitioner and in the morning, the informant found his car missing.

It is submitted by learned counsel for the petitioner that for the occurrence of 30.03.2018, the FIR was



registered on 09.04.2018 which reached to the Court of learned ACJM on 12.04.2018 which suggests that the FIR has been registered by antedating. It is further submitted that the accusation has been based on mere suspicion. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner is named in the FIR.

Considering the suspicious nature of accusation coupled with the statement made 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-I, Nawada in connection with Akbarpur P.S. Case No. 87 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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