

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69541 of 2018

Arising Out of PS. Case No.-108 Year-2018 Thana- JANDAHA District- Vaishali

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Kundan Kumar, S/o Bimal Rai @ Vimal Prasad Ray, resident of Village-
Garahi, P.S.- Jandaha, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Manoj Kumar

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 17-12-2018

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Jandaha P.S. Case No. 108 of 2018 disclosing offences under Sections 347, 323, 356, 357, 379 and 34 of the Indian Penal Code.

Allegation against the accused persons is that they snatched the informant's motor cycle, his mobile phone, ATM card, credit card and other documents as also some cash at the point of pistol. The informant asserted that he could identify two persons out of the three, including this petitioner.

Learned counsel, appearing on behalf of the petitioner, has submitted that it is highly improbable that an offence would be committed by someone of the nature alleged



who could be identified by the victim. He contends that the petitioner has been falsely implicated by the informant out of certain dispute between them in respect of purchase of a piece of land by the family of the petitioner. It has been stated in the writ petition that the petitioner has no criminal antecedent.

Considering the above-noted submission, the application is allowed. Let the petitioner, above named, in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the C.J.M., Vaishali at Hajipur in Jandaha P.S. Case No. 108 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

HR/Ragini

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