

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52272 of 2018

Arising Out of PS. Case No.-146 Year-2000 Thana- CHAPRA MUFFASIL District- Saran

Nagendra Singh @ Nagendra Kumar Singh S/o Dudhnath Singh, R/o Vill.-
Ashok Nagar, P.S.- Jalalpur, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Mr. Sri Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-09-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 341, 323, 504, 353, 379, 307 of the Indian Penal Code.

The prosecution case, in short, is that the petitioner caused obstruction in the official duty of the informant and created nuisance, assaulted the informant and snatched his bicycle.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been made accused due to mistake of fact. In course of investigation, the case has been found to be



false and the police has submitted final form vide Annexure-2 to the present application. The Court below, differing with the final form, has taken cognizance against the petitioner under Section 379 and other allied sections of Indian Penal Code.

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

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 Dr. Rajesh Singh, Judicial Magistrate, 1st Class, Chapra in connection with Chapra Muffasil P.S. Case No. 146/2000, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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