

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52935 of 2018

Arising Out of PS.Case No. -94 Year- 2016 Thana -BHAGWANPUR District- BHABHUA
(KAIMUR)

=====

1. Batkhari Musahar, S/o Nifikir Musahar, Resident of Village- Chaurasiya,
P.S.- Mohania, District- Kaimur at Bhabua.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

The petitioner is apprehending his arrest in a case registered
under Section 395 of the Indian Penal Code.

The prosecution case, in brief, is that the accused persons
looted ornaments, mobile phones and cash amount from house of
the informant at gun point.

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 is not named in the FIR. The petitioner has been made
accused on the basis of confessional statement of co-accused.
Except for this, there is no other substantial evidence to suggest



the implication of the petitioner in the present case. There is no recovery of any incriminating articles from possession of the petitioner. The petitioner has not been put on TIP.

On behalf of the State, it is submitted that the petitioner's name has come in confessional statement of co-accused.

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 learned Sub Divisional Judicial Magistrate, Kaimur at Bhabua in connection with Bhagwanpur P.S. Case No. 94 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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