

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10242 of 2019

Arising Out of PS. Case No.-171 Year-2018 Thana- OBRA District- Aurangabad

Pankaj Kumar, aged about 28 Years, Male, Son of Tapeswar Ram, Resident of Village-Khutahan Dihera, P.S.- Obra, District – Aurangabad (Bihar).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Rajendra Singh, Advocate.

For the Opposite Party : Mr.Jitendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-02-2019 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 414, 341, 323, 353, 224, 225 and 332/34 of the IPC.

The prosecution story, in brief, is that on 10.08.2018 while the informant alongwith police forces was on patrolling duty, he received an input that some persons are roaming on a stolen Apachi Bike. The informant started checking at Tezpura Lock. Three persons on an Apachi Bike bearing Registration No. JH 10 N 9868 reached from Daudnagar side. The police demanded papers relating to bike but they did not produce any paper. The persons disclosed their names as Ravi Kumar, Sonu Kumar and Vikash Kumar. Accordingly, Bike was seized and all



the three persons were arrested. When the police was carrying the Bike and persons to police station, 5-6 persons in a Tempo came on the way and grappled with the police. They got freed the arrested persons forcibly. However, one of them was held who disclosed his name as Vikash Kumar, Son of Permanand Paswan. He also disclosed names of other accused persons as Bhim Paswan, Dhananjay Paswan, Pankaj Kumar (petitioner) and two unknown. Tempo was left there which was seized.

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 petitioner has falsely been implicated in the present case. No specific allegation has been made against the petitioner. Other co-accused has been granted anticipatory bail by another Co-ordinate Bench of this Court vide Cr. Misc. No. 65909 of 2018 order dated 21.12.2018.

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 S.D.J.M. Dandnagar, District-Aurangabad, in connection with Obra P.S. Case No. 171 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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