

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16194 of 2019

Arising Out of PS. Case No.-462 Year-2018 Thana- RAJAON District- Banka *

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Krishna Mandal, Son of Makasi Mandal, Resident of Village - Tekni, P.S.-
Rajoun, Distt.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad

For the Opposite Party/s : Mr. Syed Ehteshamuddin

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 15-03-2019 Heard learned Counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered
for the offence punishable under Sections 379 and 34 of the
Indian Penal Code.

The prosecution case as per the written report of Jamshed
Khan submitted to the S.H.O., Rajoun P.S. is to the effect that
on 14.11.2018 at about 07.30 P.M., when the informant was
stuck in the traffic jam, in the meantime, one person got off his
truck and snatched the informant's mobile phone and started
fleeing away. On chase being made, the accused person got
collided with an electric pole and received injuries, and



subsequently, he was apprehended and handed over to the police. It is further alleged that the apprehended accused person disclosed his name as Diwakar Sharma and also disclosed the name of the petitioner as the person who managed to escape from the scene.

It is submitted by learned counsel for the petitioner that the specific case of the informant is that one person got off his truck and snatched his mobile phone and while fleeing away, he collided with an electric pole and was apprehended, hence, the petitioner has wrongly been implicated in the present case. A statement has been made in paragraph no. 3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that the apprehended accused disclosed the name of the petitioner as the person who managed to escaped from the scene.

Considering the fact that the specific accusation is against the apprehended co-accused Diwakar Sharma, coupled with statement made in paragraph no.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 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of the learned **C.J.M. / S.D.J.M., Banka** in connection with **Rajoun P.S. Case No.462 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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