

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22486 of 2019

Arising Out of PS. Case No.-91 Year-2018 Thana- PRANPUR District- Katihar

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ATAUR RAHMAN @ LATABUL RAHMAN @ ATABUR, Son of Mahtab
Ali, Resident of Village - Balia Pada, P.S.- Prampur, District- Katihar

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Md. Nasim, Son of Abdul Manan, Resident of Village - Kewala, P.S.-
Prampur, District- Katihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Md. Saghir Ahmad

For the Opposite Party/s : Mr. Pancha Nand Pandit

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 09-04-2019 Heard leaned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case
registered for the offence punishable under Section 392 of the
Indian Penal Code and Sections.

The prosecution case as per the written report of Md.
Nasim submitted to the S.H.O., Prampur P.S. is to the effect that



on 25.06.2018 at about 09.30 P.M., the informant was returning from Lama Chowk, in the meantime, four miscreants on two motorcycles came variously armed and robbed the motorcycle, mobile phone, passbook and driving licence of the informant. It is alleged that the petitioner was identified by the informant at the place of occurrence in the light of the motorcycle.

It is submitted by learned counsel for the petitioner that nothing has been recovered from the conscious physical possession of the petitioner and the informant has entered into a compromise with the petitioner. A statement has been made in paragraph no.3 of the petition that the petitioner is accused in one other case apart from the present case in which he is on bail.

Learned APP for the State submits that the petitioner was identified by the informant at the place of occurrence.

Considering the fact that initially, the petitioner was identified by the informant at the place of occurrence but, subsequently, the informant retracted from his version, this Court is not inclined to grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

However, the learned court below will consider the prayer for regular bail of the petitioner, if the petitioner



surrenders with a period of six weeks, in connection with
Prarnpur P.S. Case No.91 of 2018, pending in the Court of
learned **ACJM-I, Katihar.**

Accordingly, the present application is disposed of.

(Dinesh Kumar Singh, J)

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