

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24758 of 2019

Arising Out of PS. Case No.-30 Year-2015 Thana- BEUR District- Patna

GUDDU KUMAR Son of Subhash Rai, Resident of Village - Halakhpur, P.S.-
Beur, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Prasad Singh

For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

6 27-09-2019 Heard both sides.

The petitioner apprehends his arrest in Beur P.S. Case No.30 of 2015 registered under Sections 395 and 397 of the Indian Penal Code.

The informant named altogether seven persons in the F.I.R. and alleged that all accused persons assaulted him and looted his service revolver and mobile.

Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. The case is of the year 2015. The name of petitioner for the first time came during investigation on 10.07.2016. It is alleged that the petitioner was using his SIM (numbered as 9097719135) in looted mobile of the informant but from perusal of the entire case-diary, it has nowhere been mentioned that what was the IMEI number of mobile of the informant. It is submitted that the petitioner did



not use any looted mobile inserting his SIM bearing no.9097719135 and there is absolutely no evidence to connect the petitioner with the alleged occurrence.

Learned A.P.P. for the State vehemently opposed the prayer for anticipatory bail of the petitioner.

Having considered the facts aforesaid, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Patna in connection with Beur P.S. Case No.30 of 2015, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure with further condition that whenever the petitioner is summoned by thy police, the petitioner shall appear before the police and cooperate the Investigating Officer. If the petitioner fails to cooperate the Investigating Officer, the prosecution may file petition for cancellation of anticipatory bail of the petitioner.

(Prabhat Kumar Jha, J)

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