

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62505 of 2018

Arising Out of PS. Case No.-91 Year-2018 Thana- AMNAUR District- Saran

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Raju Nut son of Late Saral Nut, Resident of Village- Bajitbhorha Mirzapur,
P.S. Marhaura, District- Saran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar Tiwary

For the Opposite Party/s : Mr.Sri Iftekhar Mahmood

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 08-03-2019 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 395 of the IPC.

The prosecution case as per the written report of Mahesh Singh submitted to the SHO, Amnaur Police Station is to the effect that on 6/7.6.2018, a dacoity was committed in the house of the informant. It is alleged that 8-10 dacoits entered into the house of the informant whereas 10-15 dacoitys were outside the house. The informant claims to have identified atleast two persons namely, Samim Nath and Anil Singh, hence, the FIR was lodged against Samim Nath and Anil Singh and 10-15 unknown. Name of the petitioner sprang up subsequently in the confessional statement of co-accused Nanhki Nat and Kali Nat who were arrested on the basis of suspicion and they named this



petitioner.

It is submitted by learned counsel for the petitioner that due to suspicious nature of accusation against co-accused Kali Nut and Nanhki, they have been granted bail by a Bench of this Court vide order dated 29.10.2018 passed in Cr. Misc. No. 64597 of 2018 whereas other co-accused Annu Nut has been granted bail by a Bench of this Court vide order dated 26.10.2018 passed in Cr. Misc. No. 64358 of 2018. It is further submitted that there is no recovery from the petitioner and the FIR named accused persons who were identified by the informant on the spot, petitioner is not one of them.

Considering the fact that the name of the petitioner sprang up on the confessional statement of co-accused who have been granted bail and the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Saran at Chapra in connection with Amanaur P.S. Case No.91 of 2018 subject to the conditions laid down in Section 438(2) of the Cr.P.C.



The learned Court below will be at liberty to cancel the bail bonds of the petitioner in case he fails to cooperate in the investigation.

(Dinesh Kumar Singh, J)

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