

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68165 of 2018

Arising Out of PS. Case No.-125 Year-2018 Thana- KAMTAUL District- Darbhanga

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Kumar Sameer @ Johnney Kumar Thakur @ Johnney Thakur @ Johnney Kr. Son
of Sri Arun Thakur Resident of Village- Ratanpur, P.S. Kamtaul, District-
Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amrit Abhijat

For the Opposite Party/s : Smt. Sahin Begam

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 17-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 395, 397/34 of the Indian Penal Code.

The prosecution case, in brief, is that while the informant
along with two others was going to get his cousin, in the way, 10
miscreants intercepted and started assaulting them. It is further
alleged that the miscreants took away Rs. 35,000/- from the
informant.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The
petitioner has been implicated in the present case due to mistake



of fact. Nothing is alleged to have been recovered from conscious possession of the petitioner. A petition vide Annexure-3 to the application has been filed on behalf of the informant in the court below, wherein he has retracted from his earlier statement, made in the FIR stating that the petitioner was not involved in the alleged occurrence.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/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 learned Sub Divisional Judicial Magistrate, Darbhanga in connection with Kamtaul P.S. Case No. 125 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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