

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47842 of 2019

Arising Out of PS. Case No.-632 Year-2018 Thana- KUDHNI District- Muzaffarpur

RAJESH KUMAR @ SASHI Son of Late Shiv Lal Rai Resident of Village -
Basauli Tola Molona, P.S.- Kurhani, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 01-08-2019 The petitioner apprehends his arrest in connection with Kudhni P.S.Case No. 632 of 2018 registered under Sections 399 and 402 of the Indian Penal Code and Section 25(1-b)a/26/35 of the Arms Act.

Allegation against the petitioner, as per FIR, is that the police, upon secret information that some persons have assembled near a village, Chandru Hati, to commit robbery, arrived at the place of occurrence and upon arrival of the police, the assembled persons started fleeing away, however, on chase, one person was apprehended who disclosed his name Bittu Kumar. It has further been alleged that said Bittu Kumar has disclosed the name of the petitioner and from possession of Bittu Kumar, one country made pistol and a mobile were recovered.



Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated merely upon statement made to the police by co-accused. He further submits that petitioner has got no criminal antecedent and nothing incriminating has been recovered from his possession by the police.

After having heard learned counsel for the parties and taking into consideration the fact that petitioner has got no criminal antecedent and no incriminating article has been recovered from the possession of the petitioner as such I am inclined to grant anticipatory bail to the petitioner. Let the petitioner, abovenamed, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned ACJM 3rd, (west) Muzaffarpur in connection with Kudhani P.S.Case No. 632 of 2018; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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