

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51660 of 2019

Arising Out of PS. Case No.-34 Year-2019 Thana- UJIYARPUR District- Samastipur

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Anil Kumar, Son of Shankar Sah Resident of Village - Harpur Alouth, P.S.-
Musrigharari, Dist.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhay Shankar Singh

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 19-08-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with
Ujiyarpur P.S. Case No.34 of 2019 for the offence punishable under
Sections 379, 34 of the Indian Penal Code.

The allegation against the petitioner, as mentioned in the
FIR is that on 07.03.2019 when the informant woke up in the
morning, she saw that three thieves were taking away four goats
from her house. It has further been alleged that out of three persons,
two were apprehend who disclosed their names as Mithilesh Ram,
Shyam Kumar Paswan whereas the person who succeed in fleeing
away was Anil Kumar, i.e., petitioner.

Learned counsel appearing for the petitioner submits that
petitioner has falsely been implicated in this case inasmuch as his name has
transpired on the basis of statement made by two persons who were caught



on spot. Learned counsel further submits that the alto car was seized but there is no seizure of any goats from the same. Learned counsel further submits that no incriminating material has been seized from the possession of the petitioner.

After having heard learned counsel for the petitioner as well as learned counsel appearing on behalf of the State and taking into consideration the fact that the name of the petitioner has transpired on the basis of statement made by co-accused and further no incriminating material has been seized from the possession of the petitioner, as such, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, is directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by him, he shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Dalsingsarai, Samastipur, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

sanjeev/-

(Anil Kumar Sinha, J)

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