

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53351 of 2019

Arising Out of PS. Case No.-490 Year-2017 Thana- FORBESGANJ District- Araria

1. Md. Iriyad @ Nunu @ Nunu Ansari, aged 30 years (male), Son of Md. Taiyab Ansari, Resident of Village- Rampur South, Ward No. 10, P.S.- Forbesganj, District- Araria.
2. Parmanand Sonar, aged 33 years (maql), Son of Jagarnath Sah, Resident of Village- Kirkichiya, Ward No. 01, P.S.- Forbesganj, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh, Adv.
For the Opposite Party/s : Mr. Md. Fahimuddin, APP.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-08-2019 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

The petitioners apprehend their arrest in connection with Forbesganj P.S. Case No. 490 of 2017 registered under sections 147, 341, 323, 379, 504 of the IPC.

The allegation against the petitioners, as per the first information report, is that the petitioners entered into the godown of N.N.R. Wastage Papers Suppliers and took away water motor and pump on the gun point. The care taker of the godown identified the petitioners and one was not identified by the care taker.

Mr. Ramesh Kumar Singh, learned counsel appearing for the petitioners submits that petitioners have falsely been implicated in this case on the basis of concocted story inasmuch as the offence



has allegedly been committed by the petitioners on 29.05.2017 and the present FIR has been lodged after a considerable delay on 03.07.2017. Learned counsel further submits that petitioners have got no criminal antecedent and no incriminating material has been recovered from the possession of the petitioners.

After having heard learned counsel for the parties and taking into consideration the fact that the FIR has been lodged after a considerable delay of more than a month and no article has been recovered from the possession of the petitioners, I am inclined to grant anticipatory bail to both the petitioners.

Accordingly, the petitioners, above named, are directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by them, they shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria in connection with Forbesganj P.S. Case No. 490 of 2017 subject to the conditions as mentioned under Section 438(2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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