

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51840 of 2019

Arising Out of PS. Case No.-98 Year-2019 Thana- NAANPUR District- Sitamarhi

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ARUN KUMAR, S/o Dev Narayan Bhagat R/o Village- Maldih, Tole
Bhashar, P.S.- Sitamarhi, District- Sitamarhi

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.Ajay Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 20-08-2019 The petitioner apprehends his arrest in connection with

Nanpur P. S. Case No. 98 of 2019 registered under Section

414/34 of the Indian Penal Code.

Allegation against the petitioner is that while the police
patrolling party had put a checking of vehicles, one APACHE
motorcycle was coming without having any registration number
and upon seeing the police party, persons riding the motorcycle
tried to flee away, however, the police managed to catch hold
one person namely Rahul Kumar, and three persons riding on
motorcycle succeeded in fleeing away. It has further been
alleged that police seized the motorcycle and the arrested person
disclosed the names of three persons who were riding the
motorcycle namely Deepak Kumar, Golu Kumar and Mustafa
Ahmad and also disclosed that motorcycle was stolen one and



was in the custody of petitioner.

Learned counsel appearing on behalf of the petitioner submits that petitioner has falsely been implicated in this case based upon disclosure made by the arrested co-accused with oblique motive. He submits that along with the motorcycle one Rahul Kumar was arrested, who had disclosed the name of three persons who were riding motorcycle, but he did not name the petitioner as one of the pillion rider of the motorcycle. He further submits that petitioner has not at all concerned with the motorcycle seized by the police and also no incriminating material has been recovered from the possession of the petitioner.

After having heard learned counsel for the parties and taking into consideration the fact that no recovery has been made from the conscious possession of the petitioner and further his name has been disclosed by arrested co-accused, as such I am inclined to grant anticipatory bail to the petitioner.

Let the petitioner, above-named, 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 CJM,



Sitamarhi in connection with Nanpur P.S.Case No. 98 of 2019;
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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