

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51858 of 2019**

Arising Out of PS. Case No.-84 Year-2019 Thana- HATHAURI District- Muzaffarpur

SHEKHAR PASWAN Son of Chandrika Paswan Resident of Village -
Manpur Borbara, P.S.- Hathauri, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Md. Aslam Ansari

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 20-08-2019 The petitioner apprehends his arrest in connection with
Hathauri P. S. Case No. 84 of 2019 registered under Section
392 of the Indian Penal Code.

Allegation against the petitioner, as per FIR, is that while
the informant was returning to his home, after selling
vegetables, he saw four persons standing near the road with two
motorcycles and they ordered the informant to stop. It has
further been alleged that one person caught hold of his neck and
another took out Rs. 7,000/- from his pocket and also snatched
mobile phone of his younger brother and fled away towards
Madhepura. It has further been alleged that when informant
raised alarm, both motorcycles were stopped at Prayagbari
Chawk and one person namely Md. Nanhe was apprehended
who disclosed the name of the petitioner and two others as the



persons who fled away and APACHE motorcycles were handed over to the police by the informant.

Learned counsel appearing on behalf of the petitioner submits that petitioner has got no criminal antecedent and he has falsely been implicated in this case on the basis of statement made by co-accused, who was allegedly apprehended by the informant himself. Learned counsel further submits that the motorcycles allegedly used in the commission of crime were also produced by the informant before the police but he was not involved in this offence in the manner alleged and no incriminating material has been recovered from the petitioner.

After having heard learned counsel for the parties and taking into consideration the fact that petitioner has got no criminal antecedent and further no incriminating material has been recovered from the possession of the petitioner and seized motorcycles did not belong to the petitioner 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 ACJM-



X, East, Muzaffarpur in connection with Hathauri P.S.Case No.
84 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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