

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53300 of 2019

Arising Out of PS. Case No.-125 Year-2013 Thana- JOGBANI District- Araria

Israil @ Dharma, aged about 35 yrs (Male), Son of Aalam, Resident of
Village- Pathraha, P.S.- Narpatganj (Ghurna O.P.), 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. Arun Kumar Singh, 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 petitioner apprehends his arrest in connection
with Jogbani P.S. Case No. 125 of 2013 registered under section
395 of the IPC.

The allegation against the petitioner, as per the First
Information Report, is that on the date of occurrence, 7
miscreants entered into the house of the informant with deadly
weapons and on gun point took away two she-buffalo and two
calves and further looted ornaments and another articles from
the informant's house.

Mr. Ramesh Kumar Singh, learned counsel appearing
for the petitioner submits that petitioner is not named in the first
information report. Learned counsel further submits that the



name of the petitioner has transpired on the basis of statement made by the arrested co-accused before the police.

Learned counsel submits that petitioner had no knowledge about the name of the petitioner being included in this case and immediately after coming to know, he started process of bail. Learned counsel submits that no incriminating material has been recovered from the possession of the petitioner or from his house. Learned counsel submits that similarly situated accused persons have been granted bail by this Court in Criminal Miscellaneous No. 40105 of 2018 and 1759 of 2018.

After having heard learned counsel for the parties and taking into consideration the fact that petitioner is not named in the FIR and no incriminating material has been recovered from possession of the petitioner and further similarly situated petitioner have been granted bail by this Court, I am inclined to grant anticipatory bail to both the petitioners.

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 the learned
A.C.J.M. 1st, Araria in connection with Jogbani P.S. Case No.
125 of 2013 subject to the conditions as mentioned under
Section 438(2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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