

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58767 of 2019

Arising Out of PS. Case No.-1 Year-2018 Thana- ISHIPUR District- Bhagalpur

1. Md. Hakim Son of Md. Nasruddin
2. Sher Khan Son of Amruli Khan @ Manjur
Both are residents of Village-English Pyalapur, P.S.-Ishipur Barahat,
District-Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha, Advocate

For the Opposite Party/s : Mr. Ajay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-09-2019 Heard learned counsel for the petitioners and learned
APP representing the State.

The petitioners apprehend their arrest in connection with Barahat P.S. Case No. 01 of 2018 (G.R. No. 147 of 2018), registered under Sections 401, 413, 414, 120(b) and 34 of the Indian Penal Code.

The prosecution story, as per FIR, is that during patrolling, police party intercepted one motorcycle and apprehended all three persons who were riding on motorcycle, on interrogation they disclosed the name of 9 persons including these petitioners that they are member of motorcycle lifter gang.

Learned counsel for the petitioners submits the petitioners have got no criminal antecedent. He further submits that their names have been disclosed by the arrested accused persons, who were arrested along with motorcycle by the police.



He further submits that three persons were arrested along with stolen motorcycle by the police, who did not disclose the name of the petitioners as one of the accomplices in the offence. He further submits that no incriminating material or stolen motorcycle was recovered from the house of the petitioners.

After having heard learned counsel for the parties and taking into consideration the fact that no incriminating material and stolen motorcycle has been recovered from the house of the petitioners, I am inclined to grant anticipatory bail to the petitioners.

This application is, accordingly, allowed.

Let the petitioners, abovenamed, in the event of arrest or surrender before the court below within a period of four weeks from today, be released on bail upon furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur in connection with Barahat P.S. Case No. 01 of 2018 (G.R. No.147 of 2018); subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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