

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60782 of 2019

Arising Out of PS. Case No.-43 Year-2019 Thana- PURNEA SADAR District- Purnia

Md. Guddu @ Alamgir Khan, aged about 43 years, Son of Rashid Khan,
Resident of Jafri Bagh, Purnia City, P.S.-Sadar, District-Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Helal Ahmad, Adv.

For the Opposite Party/s : Dr. Mrityunjaya Kr. Gautam, APP.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-09-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner apprehends his arrest in connection
with Sadar P.S. Case No. 43 of 2019 registered under sections
420, 413, 414, 379, 411 & 401 of the IPC.

The prosecution story as per the first information
report is that the police on the basis of secret information
proceeded towards the place of occurrence and upon seeing the
police party one person started fleeing away riding on
motorcycle however that person was apprehended by the police
and on query he disclosed his name as Karan Kumar. Upon
search, police recovered 3 mobile phones, 5 ATM cards in the
name of two different persons and the arrested accused person
confessed that the mobile recovered from his possession was



stolen mobile, he also confessed that he used to change the ATM card and withdraw money from the account of other persons. The arrested person confessed that he has purchased the bike from a boy through Guddu i.e. the petitioner from the garrage.

Learned counsel appearing for the petitioner submits that the petitioner has been dragged in this case merely on the basis of statement made by arrested accused person from whom all incriminating article including the motorcycle was recovered. Learned counsel further submits that arrested accused person has only stated that with the help of the petitioner he purchased stolen motorcycle from the garrage. Learned counsel also submits that the petitioner has got no criminal antecedent

Having regard the submission made by the parties and taking into consideration the fact that the name of the petitioner transpired on the basis of statement made by arrested accused person and no incriminating material has been recovered from the possession of the petitioner, I am inclined to grant anticipatory bail to all the petitioners.

Accordingly, the petitioner, above named, in the event of arrest or surrender before the learned Court below within a period of four weeks from today 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 C.J.M. Purnea in connection with Sadar P.S. Case No. 43 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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