

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62096 of 2019

Arising Out of PS. Case No.-922 Year-2012 Thana- BETTIAH CITY District- West
Champaran

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Rinku @ Gauhar Ali, Son of Late Ashraf Ali Resident of Mohalla - Ujjain
Tola, P.S.- Bettiah Town, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Umanath Mishra

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-10-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with
Bettiah Town P.S. Case No.922 of 2012, for the offence
punishable under Sections 147, 148, 149, 341, 323, 325, 307,
379, 504 of the Indian Penal Code.

Prosecution story as per the First Information Report
is that the son of the informant was surrounded by Ibrahim and
other persons who assaulted him brutally and also snatched a
sum of Rs.25,000/- from the pocket of Sanjay Kumar. It has
further been alleged that one person, namely, Md. Ibrahim was
caught and arrested by the police who disclosed the name of
petitioner and others.



Mr. Umesh Chandra Verma, learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in this case inasmuch as his name has been disclosed by the arrested co-accused. Learned counsel further submits that the police submitted charge-sheet against one Md. Ibrahuim in 2013 and the investigation against the petitioner allegedly was kept pending. It has further been stated that another charge-sheet was submitted in the year 2014 against Laddu @ Samsad, keeping the investigation pending against Saddam and this petitioner. Learned counsel further submits that no specific role of the petitioner has been assigned in the First Information Report or during the investigation conducted by the police. Learned counsel further submits that no injury has been brought on record either during the course of investigation or before the learned Court below.

Having regard to the submissions made by the parties and taking into consideration the fact that no overt act has been alleged against the petitioner and the name of the petitioner has appeared on the basis of disclosure made by arrested co-accused, I am inclined to grant anticipatory bail to the petitioner.

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 learned Additional Chief Judicial Magistrate-VII, Bettiah, West Champaran. subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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