

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63052 of 2019

Arising Out of PS. Case No.-174 Year-2019 Thana- JOKIHAT District- Araria

MD. SADDAM @ MINTU @ PINTU Son of Md. Mojib Resident of Village-
Chakai, P.S.-Jokihat, District-Araria.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 06-12-2019 Perused the show case at Flag- 'P'. The show cause is
accepted.

Heard learned counsel for the petitioner and learned
APP for State.

The petitioner in this case is seeking anticipatory bail
in connection with Jokihat (Mahalgoan) P.S. Case No.174 of
2019 registered for the offences punishable under Sections
399/402 of the Indian Penal Code and Sections 25(1-b)a/26/35
of the Arms Act.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case merely on suspicion. Learned counsel submits that there is
no recovery from the conscious possession of this petitioner.

Learned APP for the State is present and has opposed



the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case wherein it appears from the submissions made at the bar and on perusal of the case diary that save and except the statement of the apprehended accused saying that this petitioner was the person who fled away on seeing the police party, no other material has been brought before this Court and on verification of the case diary, the ownership of the motorcycle in question has been found to be in favour of one Md. Tabarak Hasan, the petitioner having no criminal antecedent, let the petitioner in the event of his arrest or surrender within a period of four weeks from today, be enlarged on bail on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Jokihat (Mahalgoan) P.S. Case No.174 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any



person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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