

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69749 of 2019

Arising Out of PS. Case No.-80 Year-2019 Thana- MUZAFFARPUR RAIL P.S. District-
Saran

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RAJESH KUMAR S/o Ashanand Prasad R/o village- Aurai, P.S.- Aurai,
District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan No.Ii
For the Opposite Party/s : Mr.Shaheen Begum

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 13-12-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is seeking anticipatory bail in connection with Muzaffarpur Rail P.S. Case No. 80/2019 registered under Sections 379 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case on mere suspicion, the alleged occurrence has been committed on 18.01.2019 and after more than four months the present case has been lodged by the informant, however petitioner has got no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case wherein the F.I.R. has been lodged almost after three months of the alleged occurrence and even the submission of learned counsel for the petitioner that the name of the petitioner has been given three months after the theft of the bag of the



informant on mere suspicion showing that this petitioner was also there on the counter of the shop as also that petitioner has no criminal antecedent, in the event of his arrest/surrender before the court below within a period of four weeks, let the above-named petitioner be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. (Railway), Sonpur (Saran) in connection with Muzaffarpur Rail P.S. Case No. 80/2019, subject to 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)

Rajeev/-

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