

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81118 of 2019

Arising Out of PS. Case No.-248 Year-2017 Thana- KRITYANAND NAGAR District-
Purnia

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Md. Ali @ Rahul @ Amanullah, Son of Jahangir, Resident of Village –
Teenmuhani, Police Station – Amadabad, District – Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Navin Kumar

For the Opposite Party/s : Mr.Shantanu Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Section 392 of the
Indian Penal Code.

It is alleged that the informant cash of Rs.41,015/-, a
mobile phone and a motorcycle were robbed, leading to
registration of the FIR against unknown. Subsequently, one
Sumit Kumar Yadav was arrested during vehicle checking along
with robbed motorcycle and mobile phone, who named the
petitioner.

It is submitted by learned counsel for the petitioner



that there is no recovery from the possession of the petitioner and only on the basis of statement of apprehended co-accused, the petitioner has been roped in the present case. Though, the petitioner is accused in three other cases but he is on bail in those cases, though statement to that effect has not been made in the petition.

Learned APP submits that the name of the petitioner sprang up during investigation.

Considering the fact that the name of the petitioner sprang up during investigation and there is no recovery from the possession of the petitioner, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with K.Nagar P.S. Case No. 248 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Since the petitioner is having serious criminal antecedent, the learned Court below will be at liberty to cancel the bail bonds of the petitioner in two eventualities; if the



petitioner defaults for two consecutive occasions or gets
involved in some serious nature of offence.

(Dinesh Kumar Singh, J)

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