

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58957 of 2018

Arising Out of PS. Case No.-7 Year-2018 Thana- THAKURGANJ District- Kishanganj

Rahmat @ Rahman Baks @Rahman, S/o Late Haji Abdul, resident of Village- Bolagacch, P.S. Koirimari, District- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Sinha

For the Opposite Party/s : Mr. Mithilesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 07-01-2019 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 413 and 414 of the IPC.

The prosecution case, as per the written report of Prem Prakash Sah, S.I. Thakurganj P.S., submitted to the Station House Officer, Thakurganj Police Station, is to the effect that on 14.01.2018 at about 12.15 A.M. while the informant was on patrolling duty, he received a secret information, that some miscreants from Bengal were coming to commit theft of electric wire and they are travelling in ambulance and pick van. The miscreants on seeing the police party, tried to flee away from the scene but on chase being made two miscreants were apprehended who disclosed their names as Imamuddin and



Faizal Alam. It is further alleged that electric wire, ladder, rope, cutter and other equipment were recovered from the intercepted ambulance. The apprehended accused persons disclosed the names of other accused persons.

It is submitted by the learned counsel for the petitioner that no recovery was made from the possession of the petitioner. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent. Moreover, similarly situated co-accused, Mehboob Alam has already been granted privilege of anticipatory bail from a co-ordinate Bench of this Court vide order dated 18.07.2018 in Cr. Misc. No. 41431 of 2018.

After going through the case diary learned APP submits that the name of the petitioner sprang up during the investigation.

Considering the fact that the petitioner was not named in the FIR and his name sprang up during investigation, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/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 like amount each to the satisfaction of learned **C.J.M., Kishanganj**, in connection with **Thakurganj P.S. Case No. 07 of 2018**, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

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