

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2701 of 2020

Arising Out of PS. Case No.-280 Year-2019 Thana- BRAHMPURA District- Muzaffarpur

Santosh Sonar @ Santosh Kumar, Son of Mahesh Sah, Resident of Village -
Rewasi Pakdi (wrongly written in FIR Dewali Pakdi), P.S.- Riga, Distt -
Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-02-2020 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 379, 414, 412 and
411 of the Indian Penal Code.

The prosecution case got initiated on the basis of self
statement of B. N. Ram, Inspector-cum-S.H.O., Brahmpura, on
24.08.2019 at 9.00 A.M. is to the effect that on the basis of
secret informant that some miscreants are travelling on a stolen
pick-up van, the police made a vehicle check. During vehicle
check, on seeing the police party some persons started fleeing
away from a pick-up van and a Swift Desire car, but on chase,
one person was apprehended, who disclosed his name as Raju
Thakur. The apprehended, co-accused, Raju Thakur further



disclosed the name of co-accused, Azazul Haque @ Khan, Santosh Sonar, the petitioner and co-accused, Deepak Singh. During frisking, from the car, one screw driver used to commit theft was recovered. Subsequently, the house of co-accused, Azazul Haque was raided, but he was found absconded from the house and thereafter, the house of maternal uncle of the petitioner was raided and from there, one Tata Sumo vehicle and a Hero Honda motorcycle was recovered. The informant came to know that the petitioner parked the said vehicle and went away somewhere.

It is submitted by learned counsel for the petitioner that the petitioner was neither apprehended on spot nor anything has been recovered from his conscious possession. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that the vehicles which were recovered from the house of the maternal uncle of the petitioner were parked by the petitioner.

Considering the fact that no recovery has been made from the conscious physical possession of the petitioner and 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 or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Muzaffarpur, in connection with Brahmpura P.S. Case No.280 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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