

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4619 of 2020

Arising Out of PS. Case No.-8 Year-2019 Thana- SHYAMPUR BHATHA District- Sheohar

Saurabh Jha @ Abhishek Saurabh Son of Pappu Jha Resident of Village -
Dumari, P.S.- Shyampur Bhatahan, District - Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Devendra Kumar

For the Opposite Party/s : Mr.Satyadeo Singh Yadav

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-02-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 387,120B of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case as per the written report of Naveen Kumar submitted to Station House Officer of Shyampura Bhatahan Police Station is to the effect that on 14.01.2019at 6.48 P.M ., three persons came on a Super Splender motorcycle by concealing their face and resorted to fire at the petroleum dealership of the informant.

It is submitted by learned counsel for the petitioner



that the impugned order suggests that subsequently one co-accused Akshay Kumar was apprehended, who suggested that he along with co-accused Avanish Singh and Raushan Jha resorted to fire. However, the name of the petitioner sprang up during supervision of Dy.S.P. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

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

Considering the fact that the apprehended co-accused Akshay Kumar confessed that he along co-accused Avanish Singh and Raushan Jha resorted to fire, moreover, accusation of firing in the concluding portion of the FIR is only against three accused who came on a motorcycle, coupled with the statement made in paragraph 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 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 Additional Chief Judicial Magistrate, Sheohar in connection with Shyampur Bhatahan P.S.



Case No. 08 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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