

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 8554 of 2020**

Arising Out of PS. Case No.-461 Year-2019 Thana- PURNEA SADAR District- Purnia

MUNTASHIR @ MD MUNTASHIR Son of Abdul Jalil Resident of Village-
Basantpur, P.S.-Sadar, District-Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Khatim Reza

For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 **03-03-2020** Heard learned counsel for the petitioner and the learned
APP for State.

Petitioner apprehends arrest in connection with Sadar
Police Station (for brevity, *PS*) Case No 461 of 2019 instituted
for the offence punishable under Section(s) 395 of Indian Penal
Code.

150 maize bags are alleged to have been stolen from a
godown wherein informant is a Chaukidar. First Information
Report is against 10 – 15 unknown persons. Petitioner's name
has surfaced on the basis of confessional statement made by one
Md Asghar who was arrested. The learned counsel for the
petitioner submits that after his implication, on the basis of
confessional statement in this case, he has also been made



accused in four other cases, details of which have been stated in paragraph 3 of the petition. It is submitted that other than confessional statement, there is nothing to connect the petitioner with the alleged occurrence. Submission is of false implication on extraneous considerations.

The learned APP for the State has opposed the prayer for anticipatory bail.

Considering the aforesaid facts, prayer of petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, before the Court below, within four (04) weeks from today, he shall be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Purnea in connection with Sadar PS Case No 461 of 2019 subject to the conditions as laid down under Section 438 (2) of Criminal Procedure Code and also the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.



(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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