

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9894 of 2020

Arising Out of PS. Case No.-184 Year-2019 Thana- BHARGAMA District- Araria

DILKHUS KUMAR Son of Sanjay Paswan Resident of Village- Bharna Ward
No. 02 Maahpatti, P.S.- Bhargama, District- Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana

For the Opposite Party/s : Mr.Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-03-2020 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under Section 394 of the IPC and Sections 25(1-B) a and 26 of the Arms Act.

The prosecution case as per the written report of Vivekanand Kumar submitted to the SHO, Bhargama Police Station is to the effect that the informant being an employee of the Post office was returning home on 27.7.2019 when three accused persons near a bridge robbed his motorcycle, Five Thousand Rupees on the point of country made pistol. On alarm being raised, several persons came, thereafter, the miscreants started fleeing away and out of them two persons managed to



escape but one miscreant was apprehended with the help of villagers, from whom country made pistol and two live cartridges were recovered. He disclosed his name as Pintu Chaupal. He also disclosed the names of the persons who escaped from the scene as Nitish Kumar Yadav and Bhushan Yadav. Thereafter, the police suggested that the apprehended accused Pintu Chaupal named the petitioner as the person involved in the commission of crime.

It is submitted by learned counsel for the petitioner that the FIR does not suggest that the apprehended accused named the petitioner. The petitioner is accused in one another case apart from the present one.

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

Considering the fact that the FIR does not suggest that the apprehended accused named the petitioner, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned JM Ist Class, Araria, in connection with Bhargama P.S. Case No.184 of 2019 subject to the



conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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