

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 13868 of 2020

Arising Out of PS. Case No.-34 Year-2019 Thana- PARBATTI District- Bhagalpur

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RUPESH KUMAR @ RITESH KUMAR Son of Makhan Mandal Resident of
Village - Nanhakar, P.S.- Parbatta, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dinesh Prasad Verma
For the Opposite Party/s : Mr.Shyam Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-06-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders”
under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 120(B), 447, 448, 380, 384, 504/34 of
the Indian Penal Code.

Allegedly, while the inflormant was sleeping with her
daughter, the accused persons came to her house and took
ornaments worth Rs. 6500/-

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation



of tampering of witnesses alleged against the petitioner. The petitioner has been falsely implicated in the present case due to village politics. The date of occurrence is said to be 31-01-2019 and the complaint case has been filed on 19-02-2019. The delay in instituting the FIR has not been explained by the prosecution. On the basis of said complaint case, the FIR was instituted u/S 156(3) of the Cr.P.C. There is no recovery of any incriminating article from possession of the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Additional Chief Judicial Magistrate-III, Naugachia, Bhagalpur in connection with Parbatta P.S. Case No. 34 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven



weeks to the satisfaction of the court concerned in connection
with the aforesaid case.

(Sudhir Singh, J)

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