

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14038 of 2020

Arising Out of PS. Case No.-284 Year-2019 Thana- MAKHDUMPUR District- Jehanabad

AJIT KUMAR @ BILLA, aged about 23 years, Male, Son of Lala Mahto @ Lala Prasad, Resident of Village - Tehta, V.I.P. Road, Tehta, P.S. - Makhdumpur (Tehta O.P.), District - Jehanabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Alok Kumar @ Alok Kr Shahi, Advocate.
For the Opposite Party : Mr.Rajendra Prasad Nat, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 28-08-2020 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 A.P.P. for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Section 392 of the I.P.C.

The prosecution story, in brief, is that on 22.06.2019 when the informant was returning to his home after giving exam, in the way, four unknown persons riding on two Motorcycles, surrounded him and took his Purse, Mobile, Locket and fled away with the Motorcycle of the informant



bearing Registration No. BR-02 AQ- 5797.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is not named in the F.I.R. His name has come in the present case on the basis of confessional statement of co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case. There is no recovery of any stolen property from possession of the petitioner. The petitioner has not been put on T.I. Parade to ascertain his participation in the alleged occurrence.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is not named in the F.I.R.

Considering the 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 eight weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of the learned S.D.J.M. Jehanabad, in connection with Makhdumpur Tehta (O.P.) P.S. Case No. 284 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)

U.K./-

U		T	
---	--	---	--

