

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15824 of 2020

Arising Out of PS. Case No.-333 Year-2019 Thana- RAJAOLI District- Nawada

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SAGAR RAJBANSHI @ SAGAR KUMAR, (M), aged about 22 years, Son of Pankaj Rajbanshi @ Pankaj Rajwar, Resident of Village-Meghatari, Dibaur, P.S. - Koderma, District - Koderma (Jharkhand).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Rai Mukesh Sharma, Advocate.
For the Opposite Party : Mr. Bishweshwar Ram, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-07-2020 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 offences registered under Section 395 of the I.P.C.

The prosecution case, in short, is that on 11.09.2019, when the informant alongwith his friend was going to his house, the occupants of one Alto Car and one Motorcycle gave signal to stop them. When they did not stop, they started firing on the informant and his friend. On arrival of people, the fled away



with the mobile of the friend of the informant.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. He has falsely been implicated in the present case. The petitioner is not named in the F.I.R. His name has transpired in the present case on the basis of confessional statement of co-accused. 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 not named in the 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 eight weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned C.J.M., Nawada, in connection with Rajauli P.S. Case No. 333 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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