

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67017 of 2019**

Arising Out of PS. Case No.-152 Year-2019 Thana- MADANPUR District- Aurangabad

Chitranjan Prasad @ Sardar Son of Fonu Mahto Resident of Village-Bania,
P.S.-Madanpur, District-Aurangabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Adv.

Mr. Vijay Anand, Adv.

For the State : Mr. Parmeshwar Mehta, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

3 06-03-2020 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Madanpur P.S. Case No. 152 of 2019 registered for the offences
punishable under Sections 413/414 of the Indian Penal Code
and 7 of Essential Commodities Act.

The informant claims that stolen iron rods and other
articles were seized from the premises of the petitioner but
submission on behalf of the petitioner is that seized articles
belong to petitioner and as a matter of fact, not only iron rods
but several other articles including PAN card and document
relating to banks as well as some other articles were seized by
the informant with mala fide intention. He further submits that



petitioner was wrongly made accused in Amas P.S. Case No. 139 of 2019 registered under Section 395 of the I.P.C. and the police instituted the present case also against the petitioner. He further submits that petitioner has already been granted privilege of bail in Amas P.S. Case No. 139 of 2019.

It would appear from perusal of para 3 as well as submission of learned counsel of the petitioner that except Amas P.S. Case No. 139 of 2019 as well as present case, petitioner does not have any other criminal antecedent. Moreover, the first information report goes to show that several articles including iron rod etc. were seized from the premises of the petitioner. Furthermore, I find that Officer in Charge of Amas police station claimed that seized iron rods were looted property of Amas P.S. Case No. 139 of 2019 but except the aforesaid material, there is nothing to show that seized iron rods were stolen property of Amas P.S. Case No. 139 of 2019.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within six weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two



sureties of the like amount each to the satisfaction of learned
Chief Judicial Magistrate, Aurangabad in Madanpur P.S. Case
No. 152 of 2019, subject to conditions as laid down under
Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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