

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85294 of 2019

Arising Out of PS. Case No.-305 Year-2019 Thana- KISHANGANJ District- Kishanganj

Imran, Son of Buchur @ Sakir Alam, Resident of Village - Motihara, P.S.-
Kishanganj, Distt.- Kishanganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Vijay Kumar, Advocate

For the Opposite Party/s : Mr.Ramchandra Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 09-01-2020 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking anticipatory
bail in connection with Kishanganj P.S. Case No. 305 of 2019
registered for the offences punishable under Sections 457, 380,
411 and 420 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. Learned counsel submits that the name of the petitioner
has transpired in the confessional statement of the co-accused.

Learned A.P.P. for the State has opposed the prayer for
bail.

Considering the facts and circumstances of the case
wherein it is the submission of learned counsel for the petitioner



that although the name of the petitioner has transpired in the confessional statement of the co-accused but the motorcycle in question has not been recovered from the possession of the petitioner and in fact the motorcycle was recovered before recording the confessional statement of the co-accused and the place of seizure is Gachhpara chowk, Kishanganj and save and except the confessional statement of the co-accused in which the name of the petitioner has transpired, there is no other material to connect this petitioner with the present case and the petitioner has no criminal antecedent, let the petitioner above named in the event of his arrest or surrender within a period of four weeks from today be enlarged on bail on furnishing bail bonds of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Kishanganj in connection with Kishanganj P.S. Case No. 305 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any



person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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