

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29246 of 2021

Arising Out of PS. Case No.-350 Year-2020 Thana- KATEYA District- Gopalganj

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SACHIN PATEL @ SUMIT PATEL Son of Puran Patel @ Puran Prasad
Resident of Village- Semaria, P.S.- Kateya, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Pandey No.5, Adv

For the Opposite Party/s : Mr.Parmanand Kumar, Adv

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 22-10-2021 Heard learned counsel for the parties.

Petitioner apprehends his arrest in a case registered for the offence punishable under Sections 399, 402, 411 and 414 of the Indian Penal Code read with Section 25(1)-(b)a/26/35 of the Arms Act.

Informant in his written report has alleged that on 14.10.2020 at about 2:00 pm when he along with police party was on patrolling duty he received secret information that five miscreants have assembled on Sidhariya Bridge to commit

dacoity and after seeing the police party they started to flee away but on chase two of them were apprehended, who disclosed their name as Noushad Alam, Mithilesh Yadav and rest three who fled away. One country made pistol with one live cartridge was recovered from the possession of Naushad Alam whereas a knife was recovered from the possession of Mithilesh Yadav.

Learned counsel for the petitioner submits that he is innocent and has been falsely implicated in this case on mere suspicion. The name of the petitioner has surfaced in this case on the basis of disclosure made by co-accused Noushad Alam and except said disclosure there is no any other incriminating material against him. Neither petitioner was arrested at the spot nor anything has been recovered from the possession of petitioner.

Petitioner is accused in one Excise matter, as disclosed in paragraph no.3 of the petition.

Considering the aforesaid facts and circumstances of the case, let the petitioner(s) named above be released on anticipatory bail in the event of his/her arrest or surrender before the court below within a period of four weeks from today upon furnishing bail bond of Rs. 20,000/- each with two sureties of

the like amount each to the satisfaction of learned court below
where the case is pending, in connection with **Kateya P.S. Case
No. 350 of 2020**, subject to the conditions laid down under
Section 438(2) of the Cr.P.C.

(S. Kumar, J)

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