

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24690 of 2020

Arising Out of PS. Case No.-79 Year-2019 Thana- ITARHI District- Buxar

BITTU PATHAK @ BITU PATHAK S/o Sri Jitendra Pathak Resident of
Village-Itarhi, Ward No.12, P.S.-Itarhi, District-Buxar (Bihar).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Choudhary, Adv.
Mr. Anil Kumar Roy, Adv.
For the Opposite Party/s : Mr. Ashok Kumar no. 1, Adv.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

4 20-01-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Itarhi P.S. Case No. 79 of 2019, registered against three unknown under section 392 of the Indian Penal Code.

As per allegation in the FIR while the informant was coming on his motorcycle, three accused persons came on a motorcycle and on the point of revolver and knife looted various articles as mentioned in the FIR.

It is submitted by learned counsel appearing for the petitioner that the FIR was registered against three unknown. The looted motorcycle was recovered from the house of co-accused Rohit, who in his confessional statement made before the police, has taken the name of this petitioner as his



accomplice. It is submitted that no incriminating article has been recovered from the person or possession of this petitioner. He has no criminal antecedent.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case together with the submissions made on behalf of the petitioner and the petitioner not having any criminal antecedent, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of six weeks from today and in the event of his arrest or surrender in connection with Itarhi P.S. Case no. 79 of 2019, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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