

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30086 of 2020

Arising Out of PS. Case No.-329 Year-2019 Thana- MAHNAR District- Vaishali

SANJEET RAI Son of Chandeshwar Rai Resident of Village- Deshrajpur,
P.S.- Mahanar, District.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh, Adv.

For the Opposite Party/s : Ms. Meena Singh APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 05-01-2021 Heard learned counsel for the petitioner and the learned
APP for State.

Learned counsel for the petitioner is expected to honor his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon.

At the outset, learned counsel for the petitioner submits that the “Mahanar PS case No. 329 of 2019” has wrongly been mentioned as “Mahanar PS case No. 329 of 2020”. He submits that the correct PS case No. is “Mahanar PS case No. 329 of 2019”.

In view of the submissions, in respect of such typographical error in the petition the “Mahnar PS case No. 329 of 2020” may be read as “Mahanar PS case No. 329 of



2019”.

Petitioner apprehends his arrest in connection with Mahanar PS case No. 329 of 2019, instituted for the offence under Section(s) 413,414, 420/34 of the Indian Penal Code.

Two stolen motorcycles have been recovered from the house of co-accused Ranjeet Rai @ Shambhoo (brother of the instant petitioner).

It is submitted that merely because Ranjeet Rai @ Shambhoo has stated about the petitioner complicity in the theft, he has been implicated in the case. The recovery is from house of brother of the petitioner, namely, Ranjeet Rai @ Shambhoo and he was arrested at the time of recovery. There is no recovery from the petitioner's possession or his property. The petitioner has no criminal antecedents and under such circumstances he is apprehending his arrest.

The learned APP for the State has opposed the prayer for bail.

Considering the aforesaid facts, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, before the court below, within four (04) weeks from today, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten



thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate Vaishali at Hajipur, in connection with Mahanar PS case No. 329 of 2019, subject to the conditions as laid down under Section 438(2) Cr. P.C. subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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