

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11887 of 2022

Arising Out of PS. Case No.-263 Year-2021 Thana- CHANDAUTI District- Gaya

Nago Kumar @ Nagwa Son Of Gonga @ Bijay Mistry R/O Village- Dhaniya
Bagicha, P.S.- Delha, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh, Advocate
For the Opposite Party/s : Mr.Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-05-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

Learned Counsel for the petitioner is directed to
remove the defect(s), as pointed out by the office, within a
period of four weeks.

The petitioner is apprehending his arrest in a case
registered under Section 395 of the Indian Penal Code.

Prosecution case, in short, is that eight miscreants
looted tempo, on which several inverter batteries were loaded.

It has been submitted on behalf of the petitioner that
there is no allegation of tampering of witnesses alleged against
the petitioner. The petitioner has falsely been implicated in the
present case. The petitioner is not named in the F.I.R. The name
of the petitioner has transpired in this case on the confessional



statement of co-accused recorded under Section 161 of Cr.P.C. made before the police. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. There is no recovery of any incriminating article from the possession of the petitioner.

On behalf of the State, it is submitted that the petitioner is not named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Gaya in connection with Chandauti P.S. case No.263 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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