

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20854 of 2022

Arising Out of PS. Case No.-796 Year-2021 Thana- FORBESGANJ District- Araria

SADAKAT SON OF CHANNO @ CHUNNU @ MOHAMMAD MUSLIM
R/O VILLAGE- SURJAPUR, P.S.- BAIRGACHHI (O.P.), DISTRICT-
ARARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 399, 400 and 402 of the Indian Penal Code and Sections 25(a) (1-A) (1-B), 26(i)(2) and 35 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner has antecedent of five cases and the informant alleges that he received information that accused have assembled to commit dacoity, accordingly he reached the place of occurrence where Md. Maj and Md. Kadir were apprehended along with arms and ammunition and a motorcycle, as detailed in the FIR, it is next alleged that they disclosed the name of the petitioner



and other accused persons who managed to flee on seeing the police.

Learned counsel for the petitioner submits that petitioner was not arrested from the spot as such nothing was recovered from his conscious possession, it is next submitted that petitioner came to be implicated falsely by the police because of his antecedent, it is also submitted that the name of the petitioner transpired in the confessional statement of co-accused in police custody which does not have any evidentiary value.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty-Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Forbesganj (Simraha) P.S. Case No. 796 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.



One of the bailors shall be the father of the petitioner Channo @ Chunnu @ Md. Muslim, further, in the event, if the Investigating Officer files an application before the learned trial court stating that petitioner is not co-operating in the investigation then the learned trial court shall cancel his bail bonds after giving an opportunity of hearing to the petitioner.

(Satyavrat Verma, J)

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