

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23918 of 2022

Arising Out of PS. Case No.-688 Year-2021 Thana- DANAPUR District- Patna

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AVINASH KUMAR S/o Sheo Kumar Soni Resident of Lal Kothi, Danapur,
P.S.- Danapur, District - Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr.Amit Kumar Rakesh, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-05-2022 Heard learned counsel for the petitioner and learned
APP for the State.

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 Sections 356, 379 of the Indian Penal Code.

Prosecution case, in short, is that three unknown
persons came and snatched golden chain from the neck of the
informant.

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 been made accused due to
mistake of fact. As per the allegation, three unknown persons



are said to have snatched golden chain of the informant. The petitioner is not named in F.I.R. The name of the petitioner has transpired in this case on the confessional statement of co-accused recorded under Section 161 Cr.P.C. made before the police. The co-accused had stated that he had sold the said golden chain to the petitioner. While purchasing the said chain, the petitioner had no knowledge that the same is stolen property. Hence no offence under Section 379 I.P.C. is made out.

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 A.C.J.M.-I, Danapur, District Patna in connection with Danapur P.S. case No.688/2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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