

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43378 of 2022

Arising Out of PS. Case No.-490 Year-2022 Thana- FORBESGANJ District- Araria

1. WAKIL @ MD. WAKIL AHMAD S/O MD. SAGIR Resident of village- Gudri Ward No- 14,P.S.- Farbesganj, District- Araria.
2. MANOHAR @ MANOVAR S/O UMER Resident of village- Gudri Ward No- 14,P.S.- Farbesganj, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Veena Kumari Jaiswal, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-12-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 420, 467, 468 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioner no.1 has antecedent of one case, petitioner no.2 is a person with clean antecedent and the informant alleges that on 07.05.2022 at 5:00 pm, he along with other police personnel, on the basis of secret information, reached at Gudri Mohallah and raided a house from where two accused Raja Babu and Md. Saddam were apprehended with lottery tickets, it is next alleged



that the apprehended accused disclosed the name of petitioners and three others and from their possession various lottery tickets as detailed in the FIR were recovered.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that petitioners were not apprehended from the spot and their name transpired based on the confessional statement of apprehended accused in police custody which does not have any evidentiary value, it is also submitted that the alleged house from where the accused persons were apprehended does not belong to the petitioners and further the petitioners will not evade the law rather will cooperate in the investigation and will present themselves as and when required by the Investigating Officer of the case in order to arrive at the truth.

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

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-



(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Forbesganj P.S. Case No. 490 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

However, in the event, if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioners despite giving an assurance to this Court are not cooperating in the investigation or are not appearing when called, the learned trial court after giving an opportunity of hearing to the petitioners shall pass orders in accordance with law and shall also have the liberty to cancel the bail bonds of the petitioners.

The learned trial court is directed to send a copy of this order to the concerned Police Station.

(Satyavrat Verma, J)

Rishi/-

U		T	
---	--	---	--

