

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68104 of 2021

Arising Out of PS. Case No.-37 Year-2021 Thana- BAHADURGANJ District- Kishanganj

1. SADDAM HUSSAIN Son of Karamtulla Resident of Village- Bhatta Hat, P.S.- Jiapokhar, District- Kishanganj.
2. AFZAL @ AFZAL HUSSAIN Son of Abdul Based Resident of Village- Halim Chowk, Darjibasti, P.S.- Kishanganj, District- Kishanganj.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar

For the Opposite Party/s : Mr.Shailendra Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 26-07-2022 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioners as well as Sri Shailendra Kumar, the learned APP for the State.

At the outset, learned counsel for the petitioner has submitted that the petitioner No. 1 Saddam Hussain has been arrested during pendency of this bail petition. He, therefore, seeks permission to withdraw this anticipatory bail petition in respect of petitioner No. 1.

In view of the aforesaid submission, the anticipatory bail petition of the petitioner No. 1 is dismissed as withdrawn.



The petitioner No. 2 apprehends his arrest in connection with Bahadurganj P.S. Case No. 37 of 2021, registered for the offences punishable under Sections 419, 420, 467, 468, 413, 414 of the Indian Penal Code.

learned counsel for the petitioner has submitted that as per FIR the accused persons who were arrested at the spot, named the present petitioner as one of the perpetrator of motorcycle theft. He has submitted further that except the confessional statement there is nothing against the petitioner No. 2 in the entire case diary. Nothing has been recovered from his possession and he is a person of clean antecedent. He has submitted further that on similar ground co-accused Babul @ Md. Babul has been granted anticipatory bail by the coordinate Bench of this Court in Cr. Misc No. 41935 of 2021.

on the other hand, learned Addl.P.P., Sri Shailendra Kumar, opposed the prayer for bail.

Considering the above-mentioned facts and circumstances, let the petitioner No. 2, in the event of his arrest or surrender within four weeks before the learned court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj in



connection with Bahadurganj P.S. Case No. 37 of 2021, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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