

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72186 of 2021

Arising Out of PS. Case No.-335 Year-2020 Thana- NAUBATPUR District- Patna

SANTOSH @ DOCTOR Son of Bihari Yadav Resident of Village -
ChakChachaul, Police Station - Naubatpur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Adv.

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 15-06-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner undertakes to
remove the defects as pointed out by the office within three
weeks on resumption of physical mode, failing which the office
is directed to place the matter before the Bench.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 461, 379 of
the Indian Penal Code.

As per FIR, 12 tyres of truck, 14 big tyres of tractor,
06 tyres of Scorpio and 04 tyres of car and Rs.2,00,000/- kept in
cash box were stolen by unknown persons breaking the sutter of
the shop.



Learned counsel for the petitioner submits that the petitioner has committed no offence and has falsely been implicated in this case. The name of the petitioner has come on the basis of confessional statement of co-accused Nitish Kumar and Vikky Kumar. No incriminating articles has been recovered from the possession of the petitioner, nor from the house of the petitioner. He further submits that the petitioner is not named in the FIR and he is also accused in one more case of Excise Act as stated at para 3 of the bail petition.

Learned APP for the State vehemently opposed the prayer for bail petition.

In the aforesaid facts and circumstances of the case, I am inclined to grant anticipatory bail to the above named petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, 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 the learned A.C.J.M.-3rd, Danapur in connection with Naubatpur P.S. Case No. 335/2020, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure with further condition :-



(1) The petitioner is directed to remain physically present before the lower court on each and every date fixed in the case and if he fails to do so on two consecutive dates without reasonable cause, his bail bond will be liable to be cancelled.

(Chandra Prakash Singh, J)

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