

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72258 of 2021

Arising Out of PS. Case No.-197 Year-2020 Thana- DAGARUA District- Purnia

MD. JUNAID @ JUNAIDALAM @ ZUNAID Son of Haji Md. Hafizuddin
Resident of Village and P.S.- Dagarua, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nadimul Hasan, Adv
For the Opposite Party/s : Mr. Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 23-08-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in a case registered for the offence punishable under section 379/411 of IPC.

Allegedly, two motorcycle riders were coming with stolen glummer motorcycle for selling at TVS motorcycle show room. The informant apprehended both of them and they disclosed the name and address of the petitioner and confessed that they were going to sell the motorcycle to the petitioner. He had talked with the petitioner on mobile no.6200705623 who called him to come at Dagarua Bazar near TVS show-room.

It is submitted by learned counsel for the petitioner



that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case due to enmity and dirty village politics. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. His name transpired in the case on the basis of the confessional statement of the apprehended persons. There is no recovery of incriminating articles from the conscious possession of the petitioner or from the shop of the petitioner. The petitioner has no concern with the said mobile. Petitioner has one criminal antecedent, as also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since there is no recovery from the conscious possession of the petitioner, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the



case is pending/Successor Court in Dagarua P.S. Case No.197
of 2020, subject to the conditions as laid down under Section
438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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