

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61191 of 2022

Arising Out of PS. Case No.-146 Year-2019 Thana- SIKANDRA District- Jamui

Chand Paswan @ Chand Kumar Paswan Son Of Chhote Lal Paswan R/O
Village- Pohe, P.S.- Sikandra, Distt.- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 29-04-2023 Heard Mr. Pramod Kumar, learned counsel
appearing on behalf of the petitioner and Mr. Narsingh Tanti,
learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Sikandra P.S. Case No. 146 of 2019 registered under
Section 392 of the Indian Penal Code.

3. The prosecution story, in brief, is that an F.I.R. was
lodged against four unknown miscreants regarding theft of
informant's motorcycle bearing registration no. BR 46F 8302.

4. Learned counsel appearing on behalf of the
petitioner submits that petitioner is not named in the F.I.R., the
co-accused person, due to enmity, has taken the name of the
petitioner. Learned counsel further submitted that petitioner has
clean antecedent.

5. Learned APP appearing on behalf of the petitioner



has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the fact that, the petitioner is not named in the F.I.R., he has been made accused on the basis of confessional statement of co-accused. No recovery has been made from the petitioner. It appears that the petitioner has, prima facie, made out a case to be released on anticipatory bail.

7. The Court below is directed to release the petitioner on anticipatory bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of learned Judicial Magistrate-I, Jamui in connection with Sikandra P.S. Case No. 146 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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