

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25145 of 2024

Arising Out of PS. Case No.-485 Year-2023 Thana- PARBATTa District- Khagaria

Md. Jilani S/o Md. Rais Ahmad @ Md. Rahis R/o vill - Sultanpur, P.S. -
Parbatta (Pipra Latif), Distt.- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

3 16-07-2024 Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in a case registered
for the offence under Section 414/34 of Indian Penal Code.

3. As per allegation in the FIR, stolen tractor bearing
engine no.PX3-302D431416 has been recovered and seized
from the possession of co-accused Rajpal Kumar.

4. Learned counsel for the petitioners submits that the
petitioner is innocent and has falsely been implicated in the
present case. He next submits that from perusal of the FIR, it
appears that there is no specific allegation against the petitioner.
He next submits that the name of the petitioner transpired by
witness, namely, Anita Kumar in para-36 of the case diary and
there is no recovery from the possession of the petitioner.



Similarly situated co-accused has been granted anticipatory bail by a Co-ordinate Bench of this Court passed in Cr. Misc. No. 27630 of 2024.

5. However, learned APP for the State vehemently opposed the prayer for anticipatory bail of the petitioner.

6. In the facts and circumstances of the case, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender within a period of six 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 SDJM, Khagaria in connection with Maraiya (Parbatta) P.S. Case No. 485 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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