

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56530 of 2024

Arising Out of PS. Case No.-13 Year-2019 Thana- PUPRI District- Sitamarhi

Md. Shoukat @ Md. Shaukat Son Of Munaf @ Abdul Manuf Resident Of
Village - Bal Mohan Halim Tola, P.S. - Pupri, District - Sitamarhi

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Virendra Kumar

For the Opposite Party/s : Mr. Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 23-09-2024 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.
2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 363, 366(A) and 34 of the Indian Penal Code.
3. Learned counsel for the petitioner submits that petitioner has moved earlier before this court seeking anticipatory bail by filing Cr. Misc. No.43702/2019 but the same was rejected by an order dated 09.09.2019. The learned counsel submits that police investigated the case and came to be a considered conclusion that petitioner is innocent and thus submitted Final Form No.325/2019 dated 09.12.2019 (Annexure-2), exonerating the petitioner of the allegation but then the learned Magistrate differing with the police report, took cognizance. The learned counsel submits that when one investigating agency after threadbare investigation came to a



considered conclusion that petitioner is innocent, whether it would be prudent for the court to send the petitioner to jail based on an order of cognizance which came to be taken based on the same investigation report which exonerated the petitioner of the allegation. It is also submitted that in the change circumstances the petitioner has again approached this court seeking anticipatory bail.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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 trial court where the case is pending/successor court in connection with Pupri P.S. Case No.13/2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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