

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53411 of 2015

Arising Out of PS.Case No. -155 Year- 2014 Thana -SAHARSA District- SAHARSA

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Varun Jha son of Radha Kant Jha @ Lahru, resident of village- Lagma Patti,
P.S.- Sonvarsha Raj, District- Saharsa

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nakul Kumar Jamuar, Advocate

For the Opposite Party/s : Mr. C. Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 08-12-2015 Heard learned counsel for the petitioner and learned

counsel for the State and learned counsel for the informant.

The petitioner seeks pre-arrest bail in connection with
Saharsa Sadar P.S. Case No.155 of 2014 registered under Section
379 of the Indian Penal Code.

It is contended that the informant of the case being an
Advocate has maliciously filed the present FIR as he was doing
Pairvi in a case from the side of the complainant in Title Suit
No.50 of 2009 in which the petitioner is defendant. The allegation
of removal of certain files from his table is false as is evident from
the fact that the alleged occurrence is said to have taken place on
5th March, 2014 but the information to the police was given in this
regard on 11th March, 2014.

Learned counsel for the informant has vehemently opposed the prayer of the petitioner. He has contended that initially the informant was not aware about the role of the petitioner in removal of file on 5th March, 2014 from his table, but later on when he came to know the real facts, he had instituted the case against the petitioner.

Be that as it may, considering the nature of allegation, in event of arrest or surrender in the court below within four weeks from today, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa in connection with Saharsa Sadar P.S. Case No.155 of 2014 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Md.S./-

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