

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45078 of 2016

Arising Out of PS.Case No. -132 Year- 2016 Thana -BABUBARHI District- MADHUBANI

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1. Md. Seraj Son of Badrul Hoda Resident of Village- Barumar, Police Station- Babubarhi, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha

For the Opposite Party/s : Mr. Sri Manish Kumar 2

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 19-12-2016 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with Babubarhi Police Station Case No. 132 of 2016 registered for the offences punishable under Section 380 of the Indian Penal Code.

Petitioner is named in the first information report and the informant claims that he saw the petitioner committing theft and fleeing away from the place of occurrence. The witnesses too stated the aforesaid fact in course of investigation, as appears from the impugned order.

Submission on behalf of the petitioner is that the petitioner has been implicated in this case due to village politics and, moreover, petitioner does not have any criminal antecedent. It



is further submitted that the story, as propounded by the informant in the written report, appears to be doubtful.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-II, Madhubani in babubarhi Police Station Case no. 132 of 2016, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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