

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 22003 of 2016

Arising Out of PS.Case No. -197 Year- 2015 Thana -LAUKHI District- MADHUBANI

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Lalan Sah @ Lalan Kumar Sah Son of Sagar Sah Resident of village -
Majhaura, P.S. Laukahi, District - Madhubani

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Uday Bahnu Roy, Advocate
Mr. Baleshwar Kamat, Advocate

For the Opposite Party : Mr. C. Jawahar(APP)

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**CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD
SINGH**
ORAL ORDER

2 23-05-2016 The petitioner apprehends his arrest in relation to

Laukahi P.S. Case No. 197 of 2015 registered under Section 414

of the Indian Penal Code.

Learned counsel for the petitioner submits that for an

offence under Section 414 of the Indian Penal Code, there must be

a case of theft and it is only then the said allegation that the

property found was stolen property as alleged. There being no case

of theft, merely because petitioner at some time failed to produce

receipt or purchase those articles or on statement made by the co-

accused, section 414 of the Indian Penal Code cannot be sustained.

Be that as it may, in the event of his arrest/surrender

before the court below within four weeks, let the petitioner above

named be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of Sri S.K. Roy, Judicial Magistrate, 1st Class, Janjharpur, District- Madhubani, in connection with Laukahi P.S. Case No. 197 of 2015 (G.R. Case No. 1712 of 2015), subject to conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Navaniti Prasad Singh, J.)

Rajiv/Amit

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