

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.6743 of 2016**

Arising Out of PS.Case No. -294 Year- 2015 Thana -KALYANPUR District-  
EASTCHAMPARAN(MOTIHARI)

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1. Sk. Tahir son of Late Daroga Resident of Village - Siswa Sob, P.S. -  
Kalyanpur, District - East Champaran.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sunil Kumar No.III

For the Opposite Party/s : Mr. Suresh Pd. Singh (App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR**  
**SINGH**  
**ORAL ORDER**

2 15-02-2016

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered  
for the offences punishable under Section 380/ 34 of the Indian  
Penal Code.

The prosecution case is that the petitioner was seen  
taking away a box containing gold ornaments and cash of Rs.  
20,000/-.

It is submitted by the learned counsel for the petitioner  
that for the occurrence dated 07.10. 2015 at 9 PM the FIR was  
registered on 08.10.2015 whereas the informant side assaulted the  
wife of the petitioner on 07.10.2015 at 9 AM and for that  
petitioner filed Kalyanpur P.S. case No. 295 of 2015 under

sections 447, 341, 342, 379, 323, 504, 34 of the IPC and section 34 of Prevention of Witch Practices Act but the FIR of petitioner's side was registered subsequently. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the nature of accusation and the fact that for the earlier occurrence the FIR of petitioner was registered subsequently, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve 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 ACJM, 9, Motihari, East Champaran in connection with Kalyanpur P.S. Case No. 294 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

**(Dinesh Kumar Singh, J)**

BKS/-

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