

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.18045 of 2016

Arising Out of PS.Case No. -200 Year- 2015 Thana -BAIKUNTHPUR District- GOPALGANJ

1. Raju Yadav Son of Balishter Yadav, Resident of Village - Baikunthpur,
P.S. - Baikunthpur, District - Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Naripendra Kumar, Advocate

For the Opposite Party/s : Mr. Subhash Chandra Mishra (App)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 10-05-2016 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

Petitioner apprehends his arrest in connection with
Baikunthpur P.S.Case No. 200 of 2015 registered for offences
punishable under Section 379 of the Indian Penal Code.

The prosecution case as lodged in the F.I.R. is that the
informant Triloki Prasad has suspicion that in the night of
28.11.2015 petitioner together with co-accused Binod Yadav and
Balister Yadav committed theft of diesel pumping set from his
boring, as the mark of pulling machine has gone to the house of
the accused persons.

It has been submitted by the learned counsel for the
petitioners that he is innocent, having no criminal antecedent and

has been falsely implicated due to land dispute between the villagers. He also submits that no any eye witness of the occurrence nor any incriminating article has been recovered from the possession of the petitioner. It is only on the basis of suspicion the petitioner has been named accused.

However, learned A.P.P. for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of eight weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand only) with two sureties of like amount each to the satisfaction of learned 3rd Upper Chief Judicial Magistrate, Gopalganj in connection with Baikunthpur P.S. Case No. 200 of 2015, subject to the conditions as laid down under Section 438 (2) of the Cr. P.C.

(Nilu Agrawal, J)

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