

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31700 of 2017

Arising Out of PS.Case No. -69 Year- 2016 Thana -AIRPORT District- PATNA

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Suraj Kumar, son of Raj Kumar Ram, resident of Mohalla- Veterinary
College, Domkhana, Police Station- Hawaii Adda, District- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Manish Kumar No. 2, Advocate.

For the Opposite Party/s : Mr. Satyendra Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 13-07-2017 Heard Sri Manish Kumar No. 2, learned counsel for
the petitioner, and Sri Satyendra Prasad, learned A.P.P. for the
State.

The petitioner apprehends his arrest in connection
with Hawaii Adda P.S. Case No. 69/2016 registered under Sections
323, 341, 448, 380, 354, 427, 506 and 34 of the Indian Penal
Code.

Learned counsel for the petitioner submits that a bare
perusal of the statements made in the complaint petition (which
has been converted in a police case) it would appear that the
alleged occurrence is of 29.03.2016 and in the complaint itself it is
clearly stated that because of the case lodged by accused no. 1
Shiv Kumar against the husband of the complainant, her husband
was not in the house. Learned counsel further submits that the



complaint petition was presented in the court of the learned Chief Judicial Magistrate only on 18.04.2016 and so far as the present petitioner is concerned, the only allegation against him is that he had lifted the steel box in which gold and silver ornaments were kept. Learned counsel submits that the petitioner and the informant are next door neighbours and they are lodging cases against each other because of some ongoing dispute and save and except the cases lodged by the informant or her family, there is no other case against this petitioner.

Learned A.P.P. opposed the prayer for anticipatory bail.

In the facts and circumstances, let the petitioner, named above, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Raj Narain Nigam, Sub Judge XV – cum – Additional Chief Judicial Magistrate, Patna in connection with Hawaii Adda P.S. Case No. 69/2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Rajeev Ranjan Prasad, J)

