

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47328 of 2016

Arising Out of PS.Case No. -519 Year- 2016 Thana -SIWAN CITY District- SIWAN

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1. Pintu S/o Wakil Mian resident of Mohalla- Miskar Toli (Makhdum Sarai), Siwan, P.S.- Siwan (T), Sarai District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akhileshwar Kumar Shrivastva

For the Opposite Party/s : Mr. Sri Ramchandra Singh

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 18-01-2017 Heard the learned counsel for the petitioner as well as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Siwan (Town) Sarai P.S. Case No. 519 of 2016 for the offences punishable under sections 457 and 380 of the I.P.C.

Allegedly, theft was committed in the house of the informant after breaking the lock and ornaments, silver coins, idol of Lakshmi Ganesh, valuable cloths and cash of Rs. 50,000/- were stolen away. FIR is against unknown. During investigation in the confessional statement of Bablu Mian the name of the petitioner transpires and further the witnesses vide paragraphs- 6, 7 and 8 have stated that the petitioner was seen moving around the place



of occurrence on the date of occurrence.

Submission is of false implication and that only due to moving near the place of occurrence the petitioner cannot be made accused, the confessional statement of Bablu Mian is due to the reason that there is enmity with him as the complaint case no. 215 of 2015 is pending against Bablu Mian in which father of the petitioner is a witness, nothing has been recovered from the house of the petitioner and he has got no criminal antecedent.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioner.

In the facts and circumstances as stated above, the petitioner, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of. C.J.M. Siwan in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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