

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26643 of 2017

Arising Out of PS.Case No. -54 Year- 2017 Thana -PATAHI District-
EASTCHAMPARAN(MOTIHARI)

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1. Lalan Dubey @ Lalan Dwevedy Son of Rup Narayan Dwevedy, Resident
of Village- Patahi, P.S.- Patahi, District- Motihari (East Champaran).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Sri Anand Mohan Prasad Mehta, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 17-07-2017 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Patahi Police Station Case No. 54 of 2017, disclosing
offences under Sections 379 and 427 of the Indian Penal Code
and Section 30 & 32 of the Forest Act.

Learned counsel for the petitioner has submitted that
the petitioner, who is of clean antecedent, is innocent and has
not committed any offence. As a matter of fact, two F.I.Rs.
being Patahi P.S. Case No. 44 of 2017 and Patahi P.S. Case No.
54 of 2017 for the same offence have been lodged by the
authorities. In the first F.I.R., this petitioner has not been named
rather other accused persons, namely, Ram Prasad Paswan and



Santu Mahto, who are said to have been punished for the said offence and granted regular bail by the learned court below, have been made accused in the said case, which is evident from the supplementary affidavit filed on behalf of the petitioner. The petitioner has no concern with the alleged occurrence nor any cogent material is available to implicate the petitioner in the alleged occurrence. Hence, the petitioner deserves the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, 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 learned Additional Chief Judicial Magistrate-VIII, Motihari (East Champaran) in connection with Patahi Police Station Case No. 54 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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