

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48586 of 2017

Arising Out of PS.Case No. -171 Year- 2016 Thana -SUGAULI District-
EASTCHAMPARAN(MOTIHARI)

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Bheem Mian @ Mohammad Tabrej Alam @ Bhim Singh Son of Nathuni
Mian, R/o Village- Chhapara Bahas, P.S.- Sugauli, District- East
Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

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

For the Opposite Party/s : Mr. Ram Sumiran Roy, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 18-10-2017 Heard learned counsel for the petitioner, learned

Additional Public Prosecutor for the State and learned counsel for
the informant.

The petitioner seeks pre-arrest bail in connection with
Sugauli P. S. Case No.171 of 2016 registered under Sections 380
and 457 of the Indian Penal Code.

It is submitted by the learned counsel for the petitioner
that from the reading of the FIR itself, it would transpire that the
entire story narrated by the informant is highly improbable. He
submitted that there is no truth behind the allegation that the
petitioner entered into the house of the informant and committed
theft. It is surprising as to how theft was committed in presence of



informant and his family members and they could not notice the same.

Learned Additional Public Prosecutor for the informant has opposed the application for grant of bail to the petitioner. He submitted that the petitioner was known to the family of the informant and used to supply milk and taking advantage of the acquaintance, he committed theft in the house.

Having heard the parties and perused the materials on record, the petitioner named above, who is a man of clean antecedent, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, at Motihari in Sugauli P. S. Case No.171 of 2016, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure, in the event of arrest or surrender before the court below within six weeks from today.

(Ashwani Kumar Singh, J.)

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