

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.62149 of 2017

Arising Out of PS.Case No. -113 Year- 2017 Thana -BETTIAH CITY District-
WESTCHAMPARAN(BETTIAH)

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Shubham Kumar Gupta @ Ashok Kumar @ Baghi Gupta Son of Shambhu
Shah Resident of village- Kohbarwa, P.O. and P.S.- Palanwa, District- East
Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar

For the Opposite Party/s : Mr. Satyendra Prasad

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-01-2018

Heard the learned counsel for the petitioner and

learned counsel for the State.

The petitioner seeks anticipatory bail in
connection with Bettiah Town PS case no. 113 of 2017 registered
for the offences punishable under Section 406, 379/34 of Indian
Penal Code.

The allegation is with regard to the accused persons
committing theft in the shop of the informant where his business
pertaining to C.C.T.V. Camera was being carried out. It is alleged
that after the informant returned from Muzaffarpur to his shop, he
found that the petitioner and the cousin brother of the informant,
namely, Ashish Kumar were committing theft in the shop and
subsequently when he asked his cousin Ashish Kumar, he
accepted that he along with the petitioner herein had taken away



the articles from the said premises.

The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case since he was demanding his arrears of salary pertaining to three months and in the process the informant has falsely implicated the petitioner since he did not have any intention to pay salary to the petitioner herein. It is further submitted that the petitioner has a clean antecedent. Lastly it is submitted that no recovery has been made from the conscious possession of the petitioner.

Having regard to the facts and circumstances of the case, in the event of arrest or surrender within six weeks before the learned trial court the petitioner above named is directed to be released on anticipatory bail on furnishing bonds of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah West Champaran in connection with Bettiah Town PS case no. 113 of 2017, subject to the conditions enumerated under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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