

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.49351 of 2018**

Arising Out of PS.Case No. -159 Year- 2017 Thana -RAJPUR District- EASTCHAMPARAN  
(MOTIHARI)

=====

1. Pawan Kumar son of Ramadhar Rai resident of Village - Madhuaha Vrit,  
P.O. - Tetaria, P.S. Rajepur, District - East Champaran.

.... .... Petitioner/s

Versus

1. 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. Smt. Anita Kumari

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      28-08-2018      Heard the parties.

The petitioner is apprehending his arrest in connection with Rajepur P.S.Case NO.159 of 2017 G.R.Case No7636 of 2017 , registered for offences punishable under Section 379 of the Indian Penal Code.

Allegation against the petitioner is of committing theft of Rs.80,250/- from the shop of the informant.

Submission of the learned counsel for the petitioner is that he has been falsely implicated in this case as he is a salesman in the hardware shop of the informant and six months' salary of the petitioner (Pawan Kumar) was due with him and when he demanded the same, he has been made accused in this case.

Heard learned A.P.P. also.



Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Motihari, East Champaran in connection with Rajepur P.S.Case No.159 of 2017, G.R.Case No.7636 of 2017 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid direction, this application is allowed.

**(Vinod Kumar Sinha, J)**

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