

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38122 of 2018

Arising Out of PS.Case No. -237 Year- 2017 Thana -BUDDHACOLONY District- PATNA

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Lal Mohan Paswan, Son of Late Lakhan Paswan, resident of Village-
Ekauna, P.O.- Tara, P.S. Ubra, District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Digamber Kr. Singh

For the Opposite Party/s : Mr. Sri Surendra Kumar

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

02/ 06-07-2018

Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a
case registered for the offence punishable under Section 381 of
the Indian Penal Code.

The prosecution case as per the written report
of Sanjay Kumar Singh dated 21.07.2017 submitted to the
Station House Officer, Budha Colony P.S. is to the effect that on
20.07.2017 at 7.00 P.M., the informant came to his house
through his XUV vehicle along with his driver, the petitioner. In
the dash board of the vehicle the informant kept Rs.1,10,000/-
which he forgot take out while getting down the car. In the next
morning, when the informant tried to take out the money from



the dash board he did not find and then he started searching in the same premises. Thereafter, the informant went to the room of the driver and unlocked the room but money was even not there. From CCTV footage, it appears that at 5.00 A.M. the driver opened the door of the car and at 6.00 A.M. he escaped from there after taking the money.

It is submitted by learned counsel for the petitioner that on mere suspicion the accusation has been levelled. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP, however, submits that the petitioner is named in the FIR with accusation.

Considering the suspicious nature of accusation based on circumstantial evidence coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XVI, Patna in connection with Budha Colony P.S. Case No. 237 of



2017, subject to the conditions as laid down under Section 438(2)
of the Cr.P.C.

(Dinesh Kumar Singh, J)

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