

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59862 of 2018

Arising Out of PS. Case No.-237 Year-2018 Thana- PUPRI District- Sitamarhi

Subodh Thakur, Son of Ramchandra Thakur, R/o Pupri, near Bazar Samiti,
P.S.- Pupri, District- Sitamarhi ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Ashok Kumar Jha, Adv.
For the Opposite Party : Mr. Gauri Shankar Gupta, APP 95

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 08-10-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Pupri P.S. Case No. 237 of 2018 for the offence alleged under
Section 379 of the Indian Penal Code.

The prosecution case, as lodged by the Subdivisional
Officer, Pupri, Sitamarhi, on information from Ganesh Narain
Singh, Security Guard of the Bazar Samiti Administrative
building, is that on 23.05.2018 between 07.00 to 08.00 A.M., the
petitioner along with two other persons, plucked two quintals of
unripe mangoes from the trees at the building premises.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal antecedent and it
is most improbable that two quintals of mangoes would be
plucked within an hour. He, further, submits that although the



Police Station is half a kilometer away from the Administrative Building of the Bazar Samiti, but, the first information report has been lodged after delay of one day and no plausible explanation has been given for such delay. It is, further, submitted that the allegations are false and concocted as he owns a tea shop near the Administrative Building of the Bazar Samiti with his residential house.

Learned Additional Public Prosecutor for the State opposes the prayer for anticipatory bail.

Considering the facts and circumstances and materials on record, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Pupri P.S. Case No. 237 of 2018 shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Subdivisional Judicial Magistrate, Pupri at Sitamarhi, subject to the conditions as laid down under Section 438(2) Criminal Procedure.

(Nilu Agrawal, J)

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