

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27401 of 2018

Arising Out of PS. Case No.-677 Year-2017 Thana- BEGUSARAI TOWN District- Begusarai

Md. Firoz, S/o Md. Sarfuddin, R/o Vill.- Harakah, Ward No. 7, P.S.- Town,
District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Adv.

For the Opposite Party/s : Smt. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 18-05-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Section 379 of the Indian
Penal Code.

The prosecution case got initiated on the basis of written
report submitted by Subodh Kumar to the Nagar Ratanpur O.P.
Police Station, Begusarai, to the effect that on 29.11.2017 at
2.00 P.M. the informant purchased several electrical goods from
an electrical agency, namely M/s Mahaveer Syndicate, worth
Rs.33725/-, he loaded all the articles on the E-rickshaw and
followed on his motorcycle. Somehow or the other, the e-



rickshaw became traceless and ultimately the e-rickshaw escaped from the scene with all the electrical goods of the informant. On inquiry, the informant came to know that the e-rickshaw belongs to this petitioner, but he refused to return the goods of the informant.

It is submitted by learned counsel for the petitioner that for the occurrence of 29.11.2017, the FIR was registered on 06.12.2017, without any cogent explanation for such delay. There is nothing on record to suggest that actually purchase was made by the informant or it was loaded on e-rickshaw of the petitioner. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State submits that there is specific accusation against the petitioner in the FIR.

Considering the delayed lodging of the FIR, coupled with statement made in paragraph no.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 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Begusarai in



connection with Town P.S. Case No.677 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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