

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 74821 of 2018

Arising Out of PS. Case No.-366 Year-2017 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Sachin Kumar, Son of Sone Lal Paswan, Resident of Village- Musepur, P.S.-
Kalyanpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava
For the Opposite Party/s : Mr.Sri Ataur Rahman

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 19-12-2018 Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner apprehends arrest in a case registered under
Section 379 of Indian Penal Code.

It is submitted by the petitioner's counsel that
allegation against the petitioner is of stealing the mobile phone
of the informant. It is further submitted that the informant's
mobile phone was returned by the father of the petitioner prior
to the instant case. There is no criminal case against the
petitioner. Petitioner has been implicated falsely on extraneous
considerations and personal grudge of the informant.

Considering the aforesaid submissions and the facts
and circumstances of the case, prayer for anticipatory bail is



allowed. Let the petitioner above named, in the event of his arrest or surrender within four weeks from today, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate V, Samastipur in Mufassil Police Station Case No 366 of 2017 subject to all conditions as laid down in Section 438 (2) of Criminal Procedure Code and also with the following conditions:

(1) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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