

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7553 of 2019

Arising Out of PS. Case No.-278 Year-2018 Thana- MAHUA District- Vaishali

Sumit Kumar @ Bholi Kumar , aged about 20 years (Male), son of Sushil Thakur, Resident of Village – Saidpur, Police Station – Mahua, District – Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vasant Vikas

For the Opposite Party/s : A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 04-04-2019 Heard Sri Vasant Vikas, learned counsel for the
petitioner and learned Additional Public Prosecutor.

The sole petitioner, apprehending his arrest in connection with Mahua P.S. Case No. 278 of 2018, registered for the offence under Section 461/ 379 of the Indian Penal Code, 1860 has prayed for grant of bail in the event of his arrest or surrender.

In this case, earlier by order dated 08.02.2019 case diary was called for, which has been received and kept on record.

Learned counsel for the petitioner submits that petitioner has falsely been made accused by the informant on an allegation as if in his shop petitioner had committed theft. He submits that from perusal of the F.I.R. falsity of the case is



evident. According to learned counsel for the petitioner in the F.I.R. it was alleged that petitioner was seen fleeing away. Thereafter informant with 4-5 persons went to the house of the petitioner. In the courtyard of petitioner number of documents relating to shop of the informant was collected by the informant. On perusal of the case diary also it is evident that witnesses have said that petitioner was worker in the shop of informant and there was possibility of his false implication.

In such circumstances, there is no reason to refuse the prayer for grant of anticipatory bail. Accordingly, in the event of his arrest or surrender within a period of six weeks from today, let the petitioner Sumit Kumar @ Bholi Kumar be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur / concerned court in connection with Mahua P.S. Case No. 278 of 2018 subject to the conditions as contemplated under Section 438 (2) of the Code of Criminal Procedure, 1973.

praful/-

(Rakesh Kumar, J)

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