

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8253 of 2019

Arising Out of PS. Case No.-67 Year-2018 Thana- DHANKUND District- Banka

Md. Lalu, aged about 20 years (male), Son of Late Md. Ganno @ Abdul Gani,
Resident of Village – Babura, P.S.-Dhankund, District-Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Balram Kapri

For the Opposite Party/s : Mr. Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-02-2019 Heard learned counsels for the petitioner and the
State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 457 and 380 of the IPC.

The prosecution case, as per the written report of Shanti Devi, dated 10.07.2018 submitted to the Station House Officer, Dhankund Police Station, is to the effect that on 05.07.2018 at 4 P.M., the petitioner came and expressed his desire to purchase five she-goats of the informant and when the informant refused to sale the same, the petitioner returned, but in the next morning



at about 4 A.M., the informant saw the petitioner and co-accused Md. Karu and Md. Chunna taking away her she-goats, whereupon the informant tried to catch hold of the accused persons, but they escaped from the scene.

It is submitted by learned counsel for the petitioner that for the alleged occurrence of 05.07.2018, the FIR was registered on 10.07.2018. There is no recovery from the possession of the petitioner. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the accusation against the petitioner is specific.

Considering the nature of accusation and delayed lodging of the FIR, no recovery being made from the possession of the petitioner, coupled with the 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/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 like amount each to the satisfaction of learned SDJM, Banka in connection with Dhankund P.S. Case No. 67 of 2018, subject to the condition as laid down under



Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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