

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9544 of 2019

Arising Out of PS. Case No.-101 Year-2018 Thana- PHENHARA District- East Champaran

Arjun Paswan (Male), Aged about 30 years, S/o Rajendra Paswan Village-
Bhatha, P.S.-Samour Bhatha, Dist.-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliar

For the Opposite Party/s : Mr. Satyadeo Singh Yadav

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 18-02-2019 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 Sections 457 and 380 of the
Indian Penal Code.

The prosecution case is that on 09.11.2018 the Brass idols
of Lord Ram-Sita and Laxman and Silver idol of Lord Shiv-
Parvati were stolen from the temple of the informant, leading to
the registration of the FIR against unknown. During course of
investigation, sister-in-law of the co-accused, Pramod Paswan
was found using mobile phone of the priest of the said temple,
leading to the arrest. Subsequently, co-accused Pramod Paswan



was also apprehended and in their confession, they disclosed the name of the petitioner for his involvement in the said occurrence.

It is submitted by learned counsel for the petitioner that there is no recovery from the conscious physical possession of the petitioner and simply since he is agnate of co-accused persons, he has also been roped in the present case. 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 that the name of the petitioner sprang up on the confession of co-accused persons.

Considering the fact that the impugned order does not suggest any direct material collected against the petitioner and name of the petitioner sprang up on the confession of co-accused persons, 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 learned ACJM-XII, Motihari, East Champaran in connection with Fenhara P.S.



Case No.101 of 2018, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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