

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21692 of 2019

Arising Out of PS. Case No.-370 Year-2018 Thana- KOILWAR District- Bhojpur

Bhola Rai, Son of Sitaram Rai @ Sitaram Singh, Resident of Mohalla-Banka
Ghat, P.S-Kachchi Dargah, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar

For the Opposite Party/s : Mr. Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-04-2019 Heard learned Counsels for the petitioner and
learned APP for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 379, 323 and 504 of the Indian Penal Code.

The prosecution case as per the complaint case no.1542(C) of 2018 filed by Ram Pravesh Chaudhary @Gorakh Chaudhary on 20.08.2018, came to be registered as Koilwar P.S. Case No.370 of 2018, after complaint being transferred under Section 156(3) of the Cr.P.C. is to the effect that the boat of the informant was stolen on 11.11.2017 and it is suspected that his



boat has been stolen by the petitioner.

It is submitted by learned counsel for the petitioner that for the alleged theft being committed on 11.11.2017, the complaint has been filed on 20.08.2018, which came to be registered as Koilwar P.S. Case No.370 of 2018 on 11.09.2018. It is further submitted that there is nothing on record to suggest that the informant is the legal owner of the boat in question and the petitioner claims to have purchased the said boat from one Ramanand Sahni on 10.01.2017. 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 thrust of accusation is against the petitioner and he is named in the FIR.

Considering the delayed lodging of the case and there is dispute with regard to ownership of the boat in question, 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, Bhojpur at Ara** in connection with **Koilwar P.S. Case No.370 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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