

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35388 of 2019**

Arising Out of PS. Case No.-34 Year-2014 Thana- CHEWARA District- Sheikhpura

MD. KALIM UDDIN S/o Late Afaque @ Afaque Ansari R/o village-
Maninda, P.S.- Sheikhpura, District- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar

For the Opposite Party/s : Mr.Ram Naresh Ray

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 30-05-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Section 379 of the Indian Penal Code.

The prosecution case in brief is that on 13.07.2012 this petitioner stolen clothes of worth Rs.1,50,000/-, almirah, scissors, meter and other articles which were kept in the shop of the informant.

The contention of the petitioner is that the petitioner has been falsely implicated in this case and nothing has been recovered from the possession of the petitioner. It is further submitted that the petitioner is full brother of the informant. It is further submitted that the occurrence took place on



13.07.2012, whereas FIR has been lodged after lapse of more than two years and there is no explanation of delay in lodging the FIR.

Considering the facts aforesaid, let the petitioner above named, in the event of his arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Sheikhpura in connection with Chewara P.S. Case No. 34 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the petitioner.

(Prabhat Kumar Singh, J)

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