

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47213 of 2019

Arising Out of PS. Case No.-87 Year-2019 Thana- PANDAU District- Madhubani

SHYAM MAHASETH Son of Late Ram Babu Mahaseth Resident of
Machharhatta Tola, Near State Bank, Pandaul Bazar, P.S.- Pandaul, Distt -
Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar Singh

For the Opposite Party/s : Mr.Suman Kumari Singh

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 30-07-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of
Pandaul P.S. Case No. 87 of 2019, disclosing the offence under
Section 414 of the Indian Penal Code.

Learned counsel, appearing on behalf of the
petitioner, submits that in the absence of any allegation of theft
constituting an offence under Section 379 of the IPC, no offence
can be said to be made out under Section 414 of the IPC. He
further submits that the articles, which the police are said to
have seized, have not been reported by anyone to be stolen
articles.

Considering the above submission, this application is
allowed. Let the petitioner, above named, in the event of his



arrest/surrender within six weeks from today in the court below, 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 the learned Chief Judicial Magistrate, Madhubani in connection with Pandaul P.S. Case No. 87 of 2019, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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