

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43908 of 2019

Arising Out of PS. Case No.-213 Year-2019 Thana- HILSA District- Nalanda

KARU YADAV Son of Late Bundela Gope Resident of Village - Bhatt Bigha,
P.S.- Hilsa, District- Nalanda

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Lovekush Kumar

For the Opposite Party/s : Mr.Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 17-07-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Hilsa P.S. Case No. 213 of 2019 for the offence punishable under Section 414 of the Indian Penal Code.

It is the case of the prosecution that on the basis of secret information, the police party had conducted a raid, based on which, from the petitioner's house, two she buffaloes were recovered.

Learned counsel appearing on behalf of the petitioner has submitted that Section 414 of the Indian Penal Code would come into play only if there is specific allegation of theft. There is no material to suggest that the she buffaloes, which had been recovered, were stolen. The petitioner has no criminal antecedent, as has been stated in paragraph 3 of the application.



Considering the above, 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 bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, Hilsa, in Hilsa P.S. Case No. 213 of 2019, subject to the conditions 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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