

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48247 of 2019

Arising Out of PS. Case No.-235 Year-2017 Thana- NAUBATPUR District- Patna

GUDDU PASWAN @ GUDDU KUMAR Son of Kameshwar Paswan
Resident of Village- Ran Charan Chhatni, Police Station- Naubatpur, District-
Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-08-2019 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 457 and 380 of the IPC.

The prosecution case as per the written report dated 6.8.2017 of Kanhai Rai submitted to the SHO, Naubatpur Police Station is to the effect that on 5.8.2017 at about 11.00 P.M., the petitioner entered into the house of the informant and committed theft of house hold articles. It is further alleged that the petitioner carried certain articles to his house while committing theft and again came to commit theft and on enquiry, the petitioner confessed to the Sarpanch that he kept the stolen articles in his house.

It is submitted by learned counsel for the petitioner that the petitioner is the co-villager of the informant and it appears



unreasonable that while committing theft the petitioner was moving to and fro between his house and the house of the informant. It is further submitted that for the occurrence of 5.8.2017 the FIR was registered on 7.8.2017. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner is named in the FIR.

Considering the delayed lodging of the FIR which clouds the bonafide of accusation, coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM II, Danapur, Patna in connection with Naubatpur P.S. Case No.235 of 2017 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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