

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55582 of 2019

Arising Out of PS. Case No.-102 Year-2019 Thana- BAKHTIYARPUR District- Patna

Deepak Kumar, Son of Late Shambhu Paswan @ Shambhu Das Resident of
Village - North Chirayan Tola Jehingra, P.S.- Bakhatiyarpur, District- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Usha Kumari Singh

For the Opposite Party/s : Mr.Renuka Ratnakar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 03-09-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with
Bakhatiyarpur P.S. Case No.102 of 2019 for the offence
punishable under Sections 379, 414 of the Indian Penal Code.

The allegation against the petitioner, as mentioned in
the FIR is that police raided the house of the petitioner and
recovered one stolen motorcycle kept near the Dhalan of the
petitioner.

Learned counsel appearing for the petitioner submits
that the petitioner has got no criminal antecedent and has falsely
been implicated in this case inasmuch as the motorcycle in
question was not found inside the house of the petitioner rather
it has been found near Dhalan which is situated outside of the



house of the petitioner. Learned counsel further submits that petitioner resides at Patna and works in a private shop in order to earn his livelihood. Learned counsel further submits that one another motorcycle was recovered from inside the house of the co-villagers.

After having heard learned counsel for the petitioner as well as learned counsel appearing on behalf of the State and taking into consideration the fact that the motorcycle has not been recovered from the conscious possession of the petitioner or from inside the house but the same has been recovered near Dhalan of the petitioner which is situated outside of the house, as such, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, is directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by him, he shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-1, Barh, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

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(Anil Kumar Sinha, J)

