

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 75335 of 2019

Arising Out of PS Case No.-342 Year-2019 Thana- SHIKARPUR District- West Champaran

Sarfuddin Gaddi @ Sarfuddin Alam, 20 Y/M Son of Sarajul Gaddi @ Serajul Chaudhary, Resident of Village- Pachamwa, P.S.- Shikarpur, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Umesh Chandra Verma, Advocate
For the State	:	Mr. Ram Bilash Roy Raman, APP

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 26-11-2019

Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner has moved the Court seeking pre-arrest bail in connection with Shikarpur PS Case No. 342 of 2019 dated 10.08.2019 instituted under Sections 457/380 of the Indian Penal Code.

3. The allegation against the petitioner is that he had committed theft in the shop of the informant causing loss of Rs. 2 lakhs.

4. Learned counsel for the petitioner submitted that there is no explanation as to how the name of the petitioner was known to the informant that he had committed the offence and



further that no recovery of any article of cash has been made from his possession. Learned counsel submitted that no reason has been stated why the petitioner would commit such an offence and, thus, it is case of false implication.

5. Learned APP submitted that the petitioner has been found to have bruises on his body, which clearly corroborates the alleged manner of the theft i.e., breaking of the ventilator and committing the theft. It was further submitted that there is no explanation given by the petitioner as to why he, being a co-villager, would be falsely implicated. It was further submitted that the matter had also gone before the *Punches* and name has also been mentioned in the FIR.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court does not find it a fit case for grant of pre-arrest bail to the petitioner. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J.)

P. Kumar

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