

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81664 of 2019

Arising Out of PS. Case No.-322 Year-2018 Thana- NARPATGANJ District- Araria

BUDDU PASWAN @ BUDHU PASWAN S/o Late Basudev Paswan
Resident of Village- Maheshpatti, Ward No.9, P.S.- Narpatganj (Ghurna),
Dist.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha
For the Opposite Party/s : Mr.Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-12-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 461, 379 of the Indian Penal
Code.

Prosecution case is that the informant is In Charge
Headmaster of Primary School, Babuan, Paswan Tola, P.S.
Ghurna, Araria and he was on election duty from 26.05.2018 to
28.05.2018. When he returned to school on 29.05.2018, he saw
the lock of store room was broken and 8 bags of rice, a steel
bucket, plates etc. were missing.

Learned counsel for the petitioner submits that
petitioner is innocent, committed no offence, not named in the
FIR and has been falsely implicated in this case. He further
submits that only three empty rice sacks with government label



have been recovered from the house of the petitioner and he is in custody since 07.10.2018.

In the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria in connection with Narpatganj (Ghurna) Police Station Case No. 322 of 2018 (G.R. No. 1641 of 2018), subject to the conditions:

(I) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(II) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.

(III) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

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(Anjani Kumar Sharan, J)

