

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5717 of 2020

Arising Out of PS. Case No.-136 Year-2019 Thana- PALIGANJ District- Patna

Bhuneshwar Mistry, Son of Late Sukhdeo Mistry @ Suryadeo Mistry,
Resident of Village- Ankuri, P.S.- Paliganj, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Vinay Mistry, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 04-03-2020 Heard learned counsel for the petitioner and

learned counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Paliganj P.S. Case No.136 of 2019 for the offence
punishable under Section 379 of the Indian Penal Code.

It is contended that on 13.04.2015, a raid was
conducted in the Saw Mill premises of the petitioner and 85
wood logs along with Saw Mill was jointly seized by the
Forester and the police. The petitioner filed a writ petition
before this Court vide CWJC No. 7444 of 2015 against the
seizure of the aforesaid articles and the seizure list dated
13.04.2015 was quashed by this Court vide order dated
31.07.2015. Thereafter, an intra-court appeal vide LPA No.1183
of 2016 against the order dated 31.07.2015 and the same was



dismissed on 30.10.2017. Thereafter, the petitioner filed MJC No.466 of 2016 for initiation of a contempt proceeding for not complying with the order passed by the Court. It is only after a show cause application was filed by the respondents on 25.02.2019 passed in MJC application, the instant case was registered against the petitioner under Section 379 of the Indian Penal Code for theft of wood logs and other materials.

Learned counsel for the State has opposed the application for grant of pre-arrest bail to the petitioner.

Considering the facts and circumstances of the case, in the event of arrest or surrender in the court below, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Danapur, Patna in connection with Paliganj P.S. Case No.136 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

Sanjeet/-

U		T	
---	--	---	--

