

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16999 of 2020

Arising Out of PS. Case No.-827 Year-2019 Thana- MADHAURAH District- Saran

1. ASHUTOSH KUMAR @ CHUNNU KUMAR @ CHANNU KUMAR S/o Pawan Tiwari R/o village- Hasanpura, P.S.- Marhowrah, District- Saran
2. Arman S/o Navi Rasul R/o village- Hasanpura, P.S.- Marhowrah, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh

For the Opposite Party/s : Mr.Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 28-08-2020 The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of COVID-19 Pandemic.

Heard the learned counsel for the petitioners the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Marhowrah PS case no. 827 of 2019 registered for the offences punishable under Sections 457, 380 of Indian Penal Code.

The allegation is regarding the petitioners having entered the house of the informant, whereafter they had broken the lock of the box kept there and had stolen the ornaments.



The learned counsel for the petitioners has submitted that the petitioners are innocent, have been falsely implicated in the present case and are having clean antecedent. It is further submitted that the F.I.R. has been lodged belatedly after a lapse of about more than 08 days, hence the oblique motive of the informant is apparent. Nonetheless, it is submitted that the petitioners are ready to abide by such conditions as may be deemed fit and proper to be imposed by this Court for the purposes of grant of anticipatory bail.

Having regard to the facts and circumstances of the case, considering the submissions of the learned counsel for the petitioners and taking into account the fact that there is much delay in lodging the F.I.R., I deem it fit and appropriate to admit the petitioners to the privilege of anticipatory bail, however with certain conditions. Accordingly, the abovenamed petitioners, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Marhowrah PS case no. 827 of 2019



subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

It is further directed that the petitioners shall mark their attendance before the S.H.O. of the concerned police station on each and every Monday of the week for a period of two months from today so that the investigation can be completed by the police, failing which the present privilege of bail being granted to the petitioners shall stand revoked automatically and the petitioner shall be taken into custody forthwith.

(Mohit Kumar Shah, J)

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