

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39062 of 2019

Arising Out of PS. Case No.-304 Year-2018 Thana- RAMKRISHNANAGAR District- Patna

MITHLESH PASWAN @ MITHILESH PASWAN Son of Sri Bhukhal Paswan Resident of Sachkalka, Pachauli, P.S.-Ujiyarpur, District-Samastipur (Bihar).

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Virendra Prasad S/o Late Chhathu Prasad Resident of Akshay Nagar, Pahari, P.S. Ram Krishna Nagar, District-Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar
For the Opposite Party/s : Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

5 03-07-2020 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Ram Krishna Nagar P.S. Case No. 304 of 2018 for the offence punishable under Sections 379 of the Indian Penal Code.

There is only one person viz. Sanjeev Paswan named in the FIR. Allegedly, he along with four others had committed the offence of theft when the informant was not in his house at Patna and had gone to Delhi. Sanjiv Paswan was the informant's driver. Based on CCTV footage, said Sanjeev Paswan was implicated.

Learned counsel for the petitioner has submitted that said Sanjeev Paswan has been allowed regular bail under Section 167(2) Cr.P.C. as no material could be found against



him and no charge-sheet could be submitted despite he having remained in custody for sixty days. He has submitted that even the CCTV footage does not support the involvement of this petitioner in commission of the offence.

Considering the above submission, this application is allowed.

Let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-XIIIth, Patna, in Ram Krishna Nagar P.S. Case No. 304 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Rajesh/-

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