

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28362 of 2021

Arising Out of PS. Case No.-488 Year-2020 Thana- NAUBATPUR District- Patna

PRITAM KUMAR @ PRIYANSHU KUMAR, S/o Krishna Mistri @ Paji
Mistri R/o village- Bari Tangraila, P.S.- Naubatpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 17-06-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner apprehends his arrest in a case registered
under Sections 457 and 380 of the Indian Penal Code.

Informant has alleged that in the night of 22.09.2020 a
theft was committed in his shop and in the morning when he
opened the shop, he found that several articles kept in the shop
has been stolen and he suspected that petitioner and other
accused are instrumental in committing this theft.

It has been submitted on behalf of petitioner that he is
innocent and has been falsely implicated in this case due to
previous dispute and animosity between the parties. Nothing has
been recovered from his possession. Petitioner is a Carpenter
who resides just opposite to the house of informant and there
was some dispute regarding his wages with the informant. Even

on the date of occurrence, he was not present there and was in Patna. He has been made accused only on suspicion. Petitioner has no criminal antecedent.

Considering the facts and circumstances of the case, prayer of anticipatory bail is allowed and petitioner named above in the event of arrest or surrender before the court below within four weeks from today, Petitioner is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Danapur (Patna), in connection with Naubatpur P.S. Case No. 488 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with following conditions:-

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

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court

will be at liberty to cancel his bail bond.

(3) 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.

(S. Kumar, J)

Rajiv/veena-

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