

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34859 of 2020

Arising Out of PS. Case No.-33 Year-2020 Thana- JHAJHA RAIL P.S. District- Lakhisarai

SUDHIR KUMAR Son of Hardev Paswan R/o Village- Navtoliya Ward No. 45, Bindwara, P.S.- Kashim Bazar, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satish Kumar

For the Opposite Party/s : Ms.Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 15-01-2021 Heard the learned counsel for the petitioner and
Ms. Anita Kumari Singh, the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with G.R.P. Jhajha Rail PS case no. 33 of 2020 registered for the offences punishable under Section 379 of Indian Penal Code.

The allegation is regarding unknown miscreants having stolen the purse of the wife of the informant containing various articles as also a mobile phone. During the course of investigation, it has transpired that the stolen mobile phone was being used by the petitioner.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is having a clean antecedent.



The learned counsel for the petitioner has further submitted that F.I.R. has been filed belatedly, inasmuch as the occurrence had taken place on 17.06.2019 whereas the FIR has been lodged on 02.02.2020. It is further submitted that there is no evidence to connect the petitioner with the alleged occurrence, however nonetheless, the petitioner is ready to abide by such conditions as may be deemed fit and proper to be imposed for the purposes of grant of anticipatory bail.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the fact that there is considerable delay in lodging of the FIR and the petitioner is having a clean antecedent, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail, however subject to certain conditions.

Accordingly, the abovenamed petitioner, in the event of his 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, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of



learned Railway Court, Jhajha in connection with G.R.P. Jhajha Rail PS case no. 33 of 2020 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

This Court further directs that since the investigation of the present case is going on, the petitioner herein shall appear before the Officer-in-charge of the concerned police station on each and every Monday of the week at 10.00 AM and co-operate with the Investigating Officer and in case of two consecutive defaults in appearing before the said Officer-in-charge, the present privilege of bail being granted to the petitioner herein shall stand cancelled automatically and the petitioner would be taken into custody forthwith.

(Mohit Kumar Shah, J)

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