

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1381 of 2021

Arising Out of PS. Case No.-69 Year-2020 Thana- SARAI District- Vaishali

Rahul Kumar Son Of Lakhindra Ray Resident Of Village- Birra, Police
Station-Hajipur Sadar, District-Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Sanjay Kumar No 7, Advocate
For the State	:	Mr.Nawal Kishore Prasad, APP
For the informant	:	Mr.Manish Chandra Gandhi, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-07-2021 Heard learned counsel for the petitioner, learned APP

for the State and learned counsel for the informant through

virtual mode.

Counsel for the petitioner is directed to remove the
defect(s), as pointed out by the office, within a period of four
weeks from the date of restoration of normalcy.

The petitioner is apprehending his arrest in a case
registered under Sections 461, 378/34 of the Indian Penal Code.
Later on, Section 411 of I.P.C. has been added.

Allegation is that the petitioner along with 2-3
unknown persons entered into the godown of the informant and
stolen away electronic goods.

It has been submitted on behalf of the petitioner that



there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The name of the petitioner has transpired in this case merely on the basis of suspicion. Except for suspicion, there is no other substantive evidence to suggest the implication of the petitioner in this case. There is no recovery of any incriminating article from the possession of the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the complaint case/F.I.R.

Considering the facts and circumstances of the case and also the lockdown, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of Srimati Ranjula Bharti, Additional Chief Judicial Magistrate 16th-cum-Sub Judge 17th, Hajipur at Vaishali in connection with Sarai P.S. case No.69 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection



with the aforesaid case.

(Sudhir Singh, J)

Narendra/-

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