

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4754 of 2021

Arising Out of PS. Case No.-513 Year-2020 Thana- BARACHATTI District- Gaya

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DABLU KUMAR S/o Upendra Manjhi R/o village- Bajarkat, P.S.-
Barachatti, District- Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vishwa Ranjan Choudhary, Advocate.
For the Opposite Party/s : Mr. Shailendra Kumar 2, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-04-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Barachatti P.S. Case No. 513 of 2020, dated 23.08.2020 registered for the offence punishable under Sections 379/411 of the Indian Penal Code.

As per the prosecution case, one Shamshad Alam filed a written report on 23.08.2020 stating that in village Mohanpur while heading towards farm with two others he found



that eight solar plates were stolen and one was broken which were installed for boring near river skim of Prime Minister Drinking Water Scheme. It is disclosed that during patrolling by the Barachatti Police at about 04:00 AM, three persons were caught on suspicion carrying eight solar plates on a handcraft and on matching it clears that it is the same solar plates that had been stolen from village Mohanpur.

It is submitted by the learned counsel for the petitioner that petitioner has falsely been implicated in this case and has not committed any offence as alleged in the FIR. No such occurrence as alleged ever took place and the alleged Eight solar plates were stolen by unknown thieves. He is quite innocent and has been falsely implicated in this case and he has caught on suspicion. He is not named in the FIR. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has no criminal antecedent as mentioned in Para 3 of the bail application and has been languishing in custody since 23.08.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail and on furnishing



bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Barachatti P.S. Case No. 513 of 2020.

Learned lower court is directed to accept the bail bond of the petitioner after verification of his criminal antecedent.

(Anjani Kumar Sharan, J)

GAURAV S./-

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