

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2242 of 2022

Arising Out of PS. Case No.-113 Year-2021 Thana- DERNI BAZAR District- Saran

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Anuraj Kumar S/o- Paras Mahto Resident of Village - Barbatta, P.S. Sonpur,
District - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Mohan Singh, Advocate

For the Opposite Party/s : Mr. A.G, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-05-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 457 and 380 of the Indian Penal Code.

The informant alleges that unknown thieves committed theft of ornaments worth Rs. 2,00,000/- from the house of the informant and also committed theft in the house of neighbour of the informant.

Learned counsel for the petitioner submits that though in the impugned order, it has been recorded that petitioner has criminal antecedent of 12 cases but in the bail application it has been very clearly stated at paragraph no.3, the petitioner has clean antecedent and the reason for pleading at paragraph no.3



is that the petitioner is a person with clean antecedent and the petitioner has not been remanded till date in any of the case recorded in the impugned order.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case and though the recovery of mobile is shown from the petitioner, but the said mobile was purchased by the petitioner from Jyotis Kumar, who had a valid receipt.

Learned counsel for the petitioner submits that FIR was lodged against unknown and during the course of the investigating co-accused Jyotish Kumar was arrested, who in his confessional statement took the name of the petitioner, and as such, name of the petitioner transpired in the present case. Learned counsel for the petitioner further submits that till date apart from this case the petitioner has not been remanded in any of the case which has been recorded in the impugned order. It is submitted that the police will now remand the petitioner in all these cases, which was instituted against unknown and is recorded in the impugned order and, thus, will create antecedent for the petitioner. He further submits that the petitioner is in custody since 01.08.2021.

Learned A.P.P. for the State vehemently opposes the



prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody and taking into consideration the submission made by learned counsel for the petitioner, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Derni P.S. Case No. 113 of 2021.

(Satyavrat Verma, J)

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