

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11409 of 2022

Arising Out of PS. Case No.-479 Year-2021 Thana- SIWAN CITY District- Siwan

SALMAN @ LANGRA Son of Lalbabu @ Akhtar Hussain @ Akhtar
Resident of Village - Makhdum Sarai, Siwan, P.S.- Siwan Town, Distt.-
Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajiv Kumar

For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-06-2022 Heard learned counsel for the petitioner and learned
counsel for the state.

Petitioner seeks regular bail in connection with Siwan
Town P.S. Case No. 479 of 2021 lodged under sections 379, 413,
414 of the Indian Penal Code and read with section 3 of
Prevention of Damage Public Property Act, 1984.

As per allegation made in the FIR, an information was
received by the Police that a person is collecting iron articles from
S.K.G. Sugar mill and he is going on, upon information Thela
police has caught the accused who disclosed his name as Salman
@ Langra i.e. the petitioner. Learned counsel for the petitioner
submits that petitioner is innocent and the alleged seizure has been
made in complete violation of the Section 100 of the Cr.P.C. He
further submits that as per FIR, the petitioner is *Rickshaw Puller*



and he is a poor person who is in custody since 11.09.2021 whereas, charge-sheet has already been filed in this case. He further submits that Section 3 of Prevention of Damage Public Property Act, 1984 is not applicable for the present case at all and it is a case of simple theft. Upon query about the criminal antecedent of the present petitioner, he submits that the petitioner shall not involve in future in any criminal activities and for that, he is ready to file an affidavit before the Trial Court.

Learned APP for the State opposes the prayer for bail.

In the present facts and circumstances of this case that petitioner is in custody since 11.09.2021 and charge sheet has already been filed in this case, let the petitioner above named, is directed to be released on bail on furnishing bail bonds of Rs. 50,000/-(Fifty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Siwan Town (Sarai) P.S. Case No. 479 of 2021.

Petitioner is directed to furnish an affidavit before the Trial Court that he shall not involve in any criminal activities in future. Prosecution is at liberty to move for cancellation of his bail in case he found involve in such activities again.

(Dr. Anshuman, J)

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