

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23497 of 2021

Arising Out of PS. Case No.-84 Year-2020 Thana- SIWAIPATTI District- Muzaffarpur

1. AKSHAY KUMAR S/O SHRI RAI R/o village- Basudeo Banua, P.S.- Siwaipatti, Distt.- Muzaffarpur
2. Ashok Kumar S/o Late Bijli Ray R/o village- Basudeo Banua, P.S.- Siwaipatti, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Kumari Sujata Sinha

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 31-03-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Siwaipatti P.S. Case no. 84 of 2020 instituted for the offence punishable under Sections 461 and 379 of the Indian Penal Code.

Prosecution case relates to theft of valuable electronic items from the shop of the informant by breaking the asbestos of the roof.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have got no criminal antecedent. The name of the petitioners have been disclosed in this case by the co-accused Pankaj Kumar, which has got no evidentiary value in



the eye of law. Petitioners are not named in the FIR. Nothing has been recovered from their possession or from the house of the petitioners. So far as, seizure list is concerned, the shown articles belong to the petitioners and bills of the alleged articles are attached to this petition by filing supplementary affidavit.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Siwaipatti P.S. Case no. 84 of 2020, they will be enlarged 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 learned Judicial Magistrate, 1st Class, Muzaffarpur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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