

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15871 of 2022**

Arising Out of PS. Case No.-133 Year-2021 Thana- SANOKHAR District- Bhagalpur

MD. ANVARUL HAQUE @ MD. ANWARUL HAQUE Son of Md. Bechu
Resident of Belgaria, P.S. - Sanokhar, District - Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mohit Agrawal, Adv Mr. Lokesh Kumar, Adv Mr. Parul Prasad, Adv
For the Opposite Party/s	:	Mr. H.A. Khan, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 11-08-2022 Heard learned counsel for the petitioner and learned APP
for the State.

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

The petitioner apprehends his arrest in a case registered for the offence punishable under section 379 of IPC.

Allegedly, electric wire installed by the informant in 20 pole including 10 suspension and five insulator pin has been stolen by some unknown persons. The informant searched inquired about the same but he could not find any information. The present F.I.R. filed by the informant was lodged against



unknown persons. One driver was apprehended by the police from a pick up van in which he was carrying the stolen electric goods. The said driver stated that the said goods belongs to the petitioner.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case because of personal enmity and business rivalry. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. The name of the petitioner transpired in the present case on the basis of the statement of the apprehended driver namely Ranjit Ray. The petitioner is the proprietor of the firm, M/s Madhya Construction and the firm received electric material from M/s Jakson limited for doing some work on a contractual basis and the delivery challan is also in possession of the petitioner. There is no compliance of section 100 Cr.P.C. Petitioner has no criminal antecedent, as also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case



and materials available on record, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, 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/Successor Court in Sanokhar (Aamdanda) P.S. Case No.133 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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