

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29235 of 2021

Arising Out of PS. Case No.-222 Year-2020 Thana- ARWAL District- Jehanabad

AJAM KURAISHI Son of Savir Kuraishi @ Md. Sabir Kuraishi Resident of
Village - Sahi Mohalla, P.S. Arwal, District – Arwal. Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Prasad Singh
For the Opposite Party/s : Mr.Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 08-02-2022 This matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is expected to honour
his undertaking to remove the defects as pointed out by the office
when called upon to do so by the office.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection with
Arwal P.S. Case no. 222 of 2020 instituted for the offence under
Sections 457 and 380 of the Indian Penal Code.

It is a case of committing theft of lac of rupees from the
closed house of the informant after breaking the window panel.
Neighbour of the informant identified the thief as the petitioner.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has been falsely



implicated in this case. He has got no criminal antecedent. The name of the petitioner has been disclosed in this case by the neighbour, which has no evidentiary value in the eye of law. Petitioner is native of the informant and due to earlier family dispute, lodged the present case with a concocted and fabricated story. There is no eye witness of the occurrence. Petitioner was not arrested on spot and nothing has been recovered from his conscious possession.

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 petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Arwal P.S. Case no. 222 of 2020, he 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 Chief Judicial Magistrate, Jehanabad subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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