

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21917 of 2022

Arising Out of PS. Case No.-56 Year-2020 Thana- KURTHA District- Jehanabad

PINTU KUMAR @ DEEPAK KUMAR @ DIPAK KUMAR S/o Umesh
Yadav Resident of Village- Terari Tola, Gopalpur, P.S.- Konch, District- Gaya
... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma, Advocate
For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 379 of the
Indian Penal Code.

Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is a young boy
of 24 years of age and is a student of Central University of
South Bihar as would be evident from Annexure-2 to the
anticipatory bail application.

The informant alleges that the tractor along with tailor
was parked by the driver of the informant in front of his house
but the same was stolen by some unknown accused.



Learned counsel for the petitioner submits that the FIR was against unknown and during the course of investigation the tractor was recovered from village Mahadeo Bigha and was found standing in front of Mahadeo Asthan and on inquiry one Rambali Yadav stated that the said tractor belongs to the petitioner. It is further submitted that though the tractor was recovered from Mahadeo Asthan but since Rambali Yadav disclosed that the tractor belongs to the petitioner, as such, at para 21 of the case diary, it is recorded that the tractor was recovered from the possession of the petitioner which admittedly is not the fact. It is next submitted that petitioner is a student and his name transpired based on the statement of a villager Rambali Yadav and the tractor even was not found or recovered from the house or possession of the petitioner.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds 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 Kurtha P.S. Case No. 56 of 2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and further one of the bailors of the petitioner shall be his father, namely, Umesh Yadav.

(Satyavrat Verma, J)

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