

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34349 of 2021

Arising Out of PS. Case No.-104 Year-2020 Thana- CHARPOKHARI District- Bhojpur

JAWALA @ RAMESH KUMAR Son of Dinesh Kumar Resident of Village-
Bakauliya Tola Barauli, P.S.- Piro, District- Bhojpur, At present resident of
Village- Sultanpur, P.O.- Parariya, P.S.- Baghaila, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Siddhartha Kumar Singh, Advocate

For the Opposite Party/s : Mr.Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-04-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is directed to
remove the defect(s), as pointed out by the Office, within a
period of four weeks.

The petitioner is apprehending his arrest in a case
registered under Sections 461 and 379 of the Indian Penal Code.

The prosecution case, in short, is that the unknown
accused persons committed theft in the shop of the informant.

It has been submitted on behalf of the petitioner that
the petitioner has got no criminal antecedent. There is no
allegation of tampering of witnesses alleged against the
petitioner. The petitioner has been made accused due to mistake
of fact. The petitioner is not named in the F.I.R. The petitioner is



alleged to be owner of the Scorpio car in question which has been used in the alleged occurrence. The said vehicle is run as public carrier. The name of the petitioner has transpired on the basis of confessional statement of co-accused recorded under Section 161 Cr.P.C. before the police. The petitioner had no knowledge regarding the alleged incident. Recovery of incriminating articles is said to have been made from the co-accused. Offences are triable by the Magistrate.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Bhojpur, Arrah in connection with Charpokhari P.S. Case No. 104 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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