

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30529 of 2022

Arising Out of PS. Case No.-25 Year-2022 Thana- LAHERIMUHALLA District- Nalanda

PAPPU THATHERA @ PAPPU PRASAD Son of Late Ramchandra Saw @
Ramchandra Sah Resident of Village - Ghoradih, P.s.- Barbigha, Distt.-
Shekhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Arun Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-11-2022 Learned counsel for the petitioner at the outset seeks
permission to make rectification in Para 1 of the anticipatory
bail application.

Permission is accorded.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 406, 420
and 34 of the Indian Penal Code.

The informant alleges that his stone laden truck from
Bhutan was going to Chhattisgarh, but he was informed by the
driver and co-driver that the truck was looted at Raigarh,
accordingly, he reached the place of occurrence when the driver



disclosed that the stones were sold to petitioner in Bihar itself, accordingly, the driver and co-driver were handed over to the police for further inquiry.

Learned counsel for the petitioner further submits that petitioner has antecedent of one case. Learned counsel next submits that petitioner has been falsely implicated in the present case, it is next submitted that the driver himself at one point of time alleges that the truck was looted but when the informant reached the place of occurrence he disclosed that he had sold the entire stones to the petitioner in Bihar itself. Learned counsel thus submits that apart from confession there is nothing against the petitioner and the driver of the truck cannot be said to be a credible person.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that it absolutely does not stand to reason that why the driver would falsely implicate the petitioner and how the driver came to know about 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 trial court 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 trial court where the case is pending/successor court in connection with Laheri Muhalla P.S. Case No. 25 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Further, the petitioner will cooperate in the inquiry and in between 15-20 of every month commencing from December 2022 till filing of charge-sheet shall mark his attendance in the police station and in the event if the investigating officer of the case files an application before the learned Trial Court that the petitioner, in between the aforesaid dates, has not marked his attendance, the learned Trial Court after hearing the petitioner shall pass order in accordance with law and will have liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

HarshPandey/-

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