IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56122 of 2021

Arising Out of PS. Case No.-110 Year-2021 Thana- ATHMALGOLA District- Patna

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MUKESH PASWAN @ FEKAN PASWAN Son of Krishna Paswan Resident of Village- Bahadurpur, P.S.- Athmal Gola, District- Patna.

... ... Petitioner/s

Versus

The State of Bihar.

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Manoj Kumar Pandey
For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN

ORAL ORDER

4 13-10-2022 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner apprehends his arrest in connection with Athmalgola P.S. Case No.110 of 2021, registered for the offences punishable under Sections 379 and 506 of the Indian Penal Code.

The petitioner is said to have stolen the Bolero vehicle of the informant.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is also submitted that the petitioner has got one criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that the petitioner and the informant are co-villagers and belong to same caste. It is submitted that there is previous enmity between the petitioner

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and the informant. It is submitted that no incriminating article has been recovered from the conscious possession of the petitioner. It is further submitted that only on suspicion the petitioner has been made accused in the present case and there is no eye witness of the occurrence.

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

Taking into consideration the fact that no incriminating article has been recovered from conscious possession of the petitioner, let 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 enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Barh, District Patna in connection with Athmalgola P.S. Case No.110 of 2021, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J.)

Sanjay/-

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