

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47823 of 2022

Arising Out of PS. Case No.-222 Year-2020 Thana- PARWALPUR District- Nalanda

Siddharth Kumar Son Of Maheshwar Singh Resident of Village - Murgawan,
P.S.- Wen, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Ms.Anita Kumari

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 13-12-2022 Heard learned counsel for the petitioner and the State.

Petitioner apprehends arrest in a case registered for the offence punishable under Sections 379, 506/34 and other sections of Indian Penal Code.

As per prosecution case, all the FIR named accused persons including this petitioner snatched the laptop, mobile and motorcycle of the informant. It is further alleged that when Gautam Kumar came to rescue, he was also assaulted by them.

Learned counsel appearing for the petitioner submits that the alleged occurrence is said to have taken place on 18.08.2020 but the FIR has been lodged after the delay of 4 days. The motorcycle which is said to have been stolen was recovered from possession of Satish Prasad who is not named accused in the FIR. This itself creates doubt about the veracity



of the prosecution case. Furthermore, though there is allegation of assault by 2 FIR named and 3-4 unknown persons but there is no injury report on the record and this also falsifies the prosecution case. Petitioner has got clean antecedent.

Considering the aforesaid facts and circumstances, let the above named petitioner in the event of his arrest/surrender before the court below within a period of thirty days from the date of receipt/production of copy of this order, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-I, Hilsa (Nalanda) in Parwalpur P. S. Case No. 222 of 2020, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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