

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62977 of 2021

Arising Out of PS. Case No.-244 Year-2019 Thana- BELA District- Sitamarhi

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1. LAXMI SAH @ LAKSHMI SAH Son of Late Sitaram Sah Resident of Village - Belmohan (Pupri Gaon), P.S.- Pupri, District - Sitamarhi.
 2. Govind Sahni Son of Sukhdeo Sahani Resident of Village - Teliyapokhar, P.S.- Sadar (Mabbi O.P.), District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar, Advocate
For the Opposite Party/s : Mr.Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-07-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 379/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners had antecedents as recorded in paragraph '3' of the anticipatory bail application and the informant alleges that on 18.11.2019 he locked his shop and went to his house and in the morning when he came to his shop he found the lock of the shop broken and found two tractors missing thus alleged that the tractors were stolen by unknown persons.

Learned counsel for the petitioners submits that since these two petitioners were witnesses of the complaint filed by



Naiyar Imam against the police as such the petitioners have also been falsely implicated in the present case based on the confessional statement of Sarfe Alam. It is next submitted that co-accused Naiyar Imam has been granted bail vide order dated 14.07.2022 passed in Cr. Misc. No. 62393 of 2021.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner but is not able to meet the submission of the learned counsel for the petitioner that a confessional statement before the police has no evidentiary value the eyes of law.

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) each 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 Bela P.S. Case No. 244 of 2019 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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