

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69078 of 2021

Arising Out of PS. Case No.-557 Year-2021 Thana- ARARIA District- Araria

KALU MANDAL @ KALU KR. MANDAL S/o Debu Mandal @ Dev Narayan Mandal R/o village - Shiv Puri, Ward No. 09, P.S.- Araria, Distt.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-07-2022 Heard learned counsel for the petitioner and learned A.P.P. for the State.

Let the defect(s), if any, be removed within a period of four weeks.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 457 and 380/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner has antecedent of one case.

The informant alleges that a theft was committed in his house and one Arun Yadav informed him that when he was coming from Kharasiya Basti, at about 01:00 a.m., he saw 4-5 persons fleeing with some goods in their hand in which he identified the petitioner.



Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case and it absolutely does not stand to reason that if the petitioner was seen by Arun Yadav in the night then he becomes a suspect of theft. It is next submitted that even the FIR does not disclose that what Arun Yadav saw in the hand of the accused.

Learned A.P.P. and the informant opposed the prayer for anticipatory bail of the petitioner but are not able to meet the submission of the learned counsel for 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 Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand) 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 Araria P.S. Case No. 557 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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