

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58852 of 2022

Arising Out of PS. Case No.-111 Year-2022 Thana- BISFI (PATAUNA) District- Madhubani

MD. EKLAKH @ MD. EKHALAKH Son of Alalu Resident of Village-
Meghban, P.S.- Benipatti, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Braj Kishore Pd., A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-12-2022 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 461, 379 and 382 of the Indian Penal Code.

The informant alleges that on 15.05.2022, unknown thieves committed theft in the shop of the brother and also injured him.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and has been falsely implicated in the present case, it is next submitted that FIR is against unknown and the informant's brother in his subsequent statement before the police stated that he recognized Sunil and Love, it is further submitted that name of the petitioner



transpired in the confessional statement of Sunil in police custody which does not have any evidentiary value, it is next submitted that it absolutely does not stand to reason that if informant's brother had recognized the petitioner who had committed the occurrence then what prevented him from disclosing their name in the FIR.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of 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 Bisfi P.S. Case No. 111 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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