

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2931 of 2022

Arising Out of PS. Case No.-488 Year-2021 Thana- FATUA District- Patna

CHHOTU KUMAR @ CHHOTU PASWAN Son of Sri Gulab Paswan
Resident of Village/Mohalla- Gulmahiyachak, Sabalpur, P.S.- Nadi, District-
Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Atul Chandra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-08-2022 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 offence punishable under Section 379 of the
Indian Penal Code.

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

The informant alleges that the petitioner along with
another accused came to his shop in garb of customer and asked
for a bottle of water and the moment the informant turned they
fled away with his mobile.

Learned counsel for the petitioner submits that FIR



was against unknown and during the course of investigation one Sonu Kumar, who was using the stolen mobile, was tracked and he disclosed that the said mobile was given to him by his brother Mithu Kumar and he has returned the mobile to his brother. It is submitted that when Mithu Kumar was arrested, the mobile was recovered and he disclosed the name of the petitioner as an accomplice being involved in the present case. It is, thus, submitted that the name of this petitioner transpired in the confessional statement of co-accused which has no evidentiary value. It is next submitted that petitioner is innocent and has been falsely implicated at the behest of police by Mithu Kumar on account of his criminal antecedent.

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 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) 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 Fatuha P.S.



Case No. 488 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and further one of the bailors of the petitioner shall be his mother (Siya Devi).

(Satyavrat Verma, J)

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